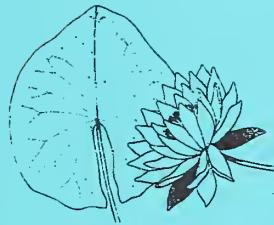
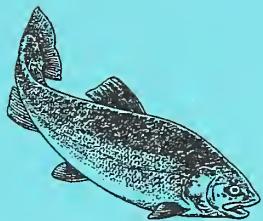


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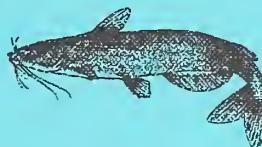
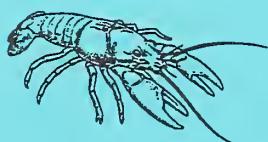
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STATE/TERRITORY PERMITS
AND REGULATIONS
IMPACTING THE
AQUACULTURE INDUSTRY

1995





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National Association of State Aquaculture Coordinators

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PREFACE

This report provides an overview of permits and regulations impacting the aquaculture industry. More specifically, this study compiles the permits and regulations concerned with the aquaculture industry by the individual state/territory.

There are some overlaps in the compiling of the permits and regulations, due to the requirements imposed on the Federal and Regional levels. In addition, there are varying requirements for each state/territory. In some instances, district, township, and city or village requirements are listed.

Most permits or regulations were listed with a summarization of pertinent information and an address or phone number to further help the user's investigation. Although every attempt was made to provide a comprehensive list it is recommended that the user verify the information with each respective state coordinator/contact before proceeding with the development of an aquaculture facility.

It is intended for this document to be continuously updated to attempt to keep pace with the ever changing Aquaculture Industry.

ACKNOWLEDGMENTS

The completion of this report is due to the cooperative efforts on the part of several groups. The Maryland Department of Agriculture's Aquaculture/Seafood Office wishes to acknowledge the efforts of the National Association of State Aquaculture Coordinators, and other State Aquaculture Contacts who researched their respective state's permits and regulations. We also thank those who reviewed and provided comments on the compilation. Additionally, we would like to recognize the states of Florida, Indiana and New Jersey for contributions to the report beyond typical state information.

NOTE: THESE PERMITS REPRESENT THOSE REQUIRED AT THE TIME THIS DOCUMENT WAS PREPARED. PLEASE CHECK WITH THE LISTED AGENCIES FOR MORE INFORMATION. CONTACT COUNTY OR LOCAL OFFICES FOR NECESSARY PERMITS.

INTRODUCTION

The Aquaculture Act of 1980 called for a compilation of regulations and permits impacting the aquaculture industry. During the years that followed, several projects at state and regional levels have been undertaken to accomplish this task. Although each of these were valuable in their own right, none provided a comprehensive picture of all state and territorial aquaculture regulations and permits. In 1993, the United States Department of Agriculture, Cooperative States Research Service, through the auspices of the Joint Subcommittee on Aquaculture, contracted with the Maryland Department of Agriculture to undertake this task, utilizing a new network of state aquaculture contacts that had been organized that year, the National Association of State Aquaculture Coordinators(NASAC). A research instrument previously developed and tested in Maryland and Washington was used for this purpose. The format provides critical information about specific permits which can be used to determine if they apply to various locations, technologies and species associated with aquaculture in a state. In place of full text of regulations, statutory and regulatory references are provided.

Early in the project it became evident that any documentation resulting from such a project would be dynamic and must be available in a form that can be updated. Consequently, hard copy information is presented in a loose leaf format so data can be replaced in a cost effective manner. The information is also available in electronic form.

Before discussing pertinent information about permits, it is necessary to, first, determine the breadth of the topic to be covered. Although definitions of aquaculture are usually all inclusive, without regard to whether a facility is located in the mountains, plains or coastal areas, it becomes apparent that most states have confined their regulatory authority to upland or coastal zones rather than addressing open ocean state waters. Nevertheless, the United Nations Food and Agricultural Organization has developed a definition of the art and science of aquaculture:

". . . the farming of aquatic organisms including fish, mollusks, crustaceans and aquatic plants. Farming implies some form of intervention in the rearing process to enhance production, such as regular stocking, feeding, protection from predators, etc. Farming also implies individual or corporate ownership of the stock being cultured."

Most states and federal agencies use a general definition recognizing the culture of animals and plants in a water environment as being aquaculture. A drastically shortened and simplified definition is: "Aquaculture is the business of farming aquatic plants and animals". The variety of species raised, from alligators to zebra fish, and the different culture systems, earthen ponds to fiberglass tanks in climate controlled structures,

coupled with development and investment from nontraditional agricultural businesses has caused considerable conflict with environmental and natural resource regulatory agencies and private groups. The newness and relative small size of U.S. aquaculture leads to conflict across lines of authority for many environmental and resource management agencies. These regulators are dealing with complex issues of human health, clean water, clean air, and ecosystem disruption. In most cases, they have responded by tweaking existing industrial permits to fit aquacultural operations.

Further exacerbating the situation, aquaculture frequently finds itself dealing with socioeconomic issues, history, and in some cases, a strong commercial fishery lobby. In many coastal states, aquaculture has been perceived as a threat, to be controlled through regulations, so it will remain a cottage industry much the same as the individual commercial fisherman.

Predictably, aquafarmers have protested the involvement of environmental and resource regulators and the additional costs and time delays associated with acquisition of permits.

EXECUTIVE SUMMARY

An examination of permits and regulations impacting the aquaculture industry reveals certain broad categories of permits common to all states. With few, if any, exceptions all permits involve four issues:

- Water Use**
- Effluent Discharge**
- Production**
- Marketing**

A central theme that transcends all of these issues is the protection of natural resources and wild stocks of aquatic animals.

WATER USE

In reality, there are very few permits which are exclusive to aquaculture. Most apply to other agricultural and industrial practices, as well. The following categories of water use permits generally reflect the application of existing regulations to aquaculture:

- Ground/Surface Water Appropriation
- Tidal Wetlands
- Non-tidal Wetlands
- Submerged Land Leases
- Water Column Leases
- Well Construction
- Pond Construction
- Waterway Construction
- Water Quality Certification

It may appear that submerged land and water column leases fit more appropriately as production permits, however, their main purpose is to afford access to publicly controlled waters. Water quality certification is not a separate permit but is applied as part of the review process for certain state and federal permits. With the advent of recirculating systems, the demand for large quantities of water such as that used in trout raceways or catfish ponds has diminished. Consequently, some states which have established threshold levels of water use for traditional agricultural practices, such as irrigation or livestock watering, do not require separate permits for aquaculture. Maryland, for example, exempts businesses that use less than 10,000 gallons of water a day.

EFFLUENT DISCHARGE

The U.S. Environmental Protection Agency(EPA), through its National Pollutant

Discharge Elimination System (NPDES) has set the stage for action by state environmental agencies to regulate effluent discharge from aquaculture facilities. Aquaculture operations culturing warm water species (catfish, crawfish, hybrid striped bass, shiners, ornamental fish, etc.) that discharge more than 30 days annually or produce more than 100,000 pounds (45,454 kg) round weight product annually must apply. Farms culturing more than 20,000 pounds (9,000 kg) of cold water species (salmonids) annually and providing at least 5,000 pounds (2,272 kg) of feed and discharging more than 30 days per year must apply. The U.S. EPA has delegated authority for issuing discharge permits to states adhering or adding further restrictions to these guidelines. According to information supplied for this study, all responding states but the following nine issue their own permits:

Arkansas	Maine	New Mexico
Idaho	Massachusetts	Oklahoma
Illinois	New Hampshire	South Dakota

In addition to traditional discharge permits, some states require specialized ones. Arizona and Hawaii offer underground injection as a viable means of disposing of waste water and Hawaii may issue a zone of mixing permit in conjunction with an NPDES permit in coastal areas. As is true for pond construction permits, water quality certification is also part of the procedure necessary for obtaining a discharge permit. Maine is a good example of how a state can consolidate the procedure for obtaining several state and federal permits into one application process, thus, simplifying permitting for producers.

Responses to this study indicated a trend in discharge parameters of concern to states/territories. The following are listed in order of most frequently to least frequently appearing in regulations:

Solids
Dissolved Oxygen
pH
Ammonia/Nitrogen
Phosphorus
Biological Oxygen Demand (BOD)
Toxics

Enforcement of permit parameters varies widely among states. Generally, excess levels of most factors simply triggers corrective measures, but the least mentioned parameter, toxics, nearly always results in severe penalties or fines. The severity and immediacy of the damage (fish kills) that may result from toxic substances designed to benefit aquaculture operations, but accidentally discharged into the environment, frequently causes environmental agencies to react forcibly. Other factors which will impact how environmental agencies administer discharge permits include the method of disposal, discharge to surface/ground water or discharge via land/crop application.

Additionally, some states consider aquaculture effluent as industrial waste, while others treat it the same as other agriculture manures.

Fee structures for aquaculture waste water discharge vary greatly among states. Most states have a flat application fee of between \$50 and \$1000, with an annual fee based on flow rates. Many charge \$1 per 1000 gallons per day. For flow through systems (raceways) this can become a substantial cost factor in an operation. Frequently, there are threshold levels of water flow under which no fee is charged. Maryland is one case in point. A fee is not levied for facilities discharging less than 1 million gallons a day. In reality, these fees are not the major concern in discharge permits. Compliance costs usually far exceed permit costs because the burden of monitoring is placed on the producer, not the agency. Environmental agencies frequently require growers to obtain the professional services of private certified chemistry labs to assure accuracy of submitted data, thus adding another layer of operating costs.

PRODUCTION

Permits which fall under the category of production tend to relate more to the species being propagated and frequently are the purview of fish and game rather than environmental agencies. They include:

- Aquaculture Permits
- Importation (shipping)
- Species Permits
- Propagation/Possession Permits
- Collection Permits
- Stocking Permits

Production permits and regulations include the aquaculture permit that is needed in most states simply to be in business. For the most part these permits are predicated on the facility being constructed in a manner that will preclude cultured fish from escaping into the wild. Most production permits are issued by fish and game or natural resource agencies specifically to protect wild stocks and, therefore, involve non-indigenous species and aquatic animal health provisions throughout. The regulatory strategies adopted by resource managers to permit ownership and sale of existing economically important species may involve onerous and costly tagging, and size or paperwork standards. The problem lies in the arena of enforcement. The farming of traditionally wild species complicates differentiation and identification of poached, out-of-season or undersized species. In several cases this problem has been resolved through clear documentation of ownership and sale from the farm to the buyer. The typical invoicing and delivery paperwork is sufficient to prove the legality of a farm raised species. In other cases, overpowering antipathy by special interest groups to the commercial sale of certain aquatic species will probably always be a barrier to farmers. A good example is large mouth black bass.

Non-indigenous species are generally defined as those species found beyond their natural range. Many aquacultural species fall into this category. There is growing national concern regarding the costs of controlling harmful non-indigenous species that have been intentionally or unintentionally introduced. The potential negative effects of these introductions include: spread of parasites and pathogens, disruption of natural ecosystems, and damage to existing agricultural and industrial operations.

MARKETING

The final category of permits deals with activities associated with marketing or processing. In most states, the aquaculture permit is all that is needed for marketing, but some may require an additional permit or license, especially when dealing with shellfish. Marketing permits may include:

Wholesale Fish Dealers
Retail Sales License
Processing/Food Establishments
Fee Fishing (Pay Lake) License
Shellfish Depuration

Although shellfish depuration may be considered a production practice it is being included here as an activity which supports marketing of the final product. Because some states/territories have special concerns for specific species requirements, enforcement of marketing permits may vary from one species to another. This is evident in Maryland's requirement for containers and receipts associated with sales of striped bass (rockfish) to include a 14 digit alpha-numeric code that can be used to easily trace shipments of product back to the point of origin.

CONCLUSION

Most states have between four and ten permits or licenses required to be involved in aquaculture. Florida, New York and Texas each have over twenty. Eight of Florida's thirty six (36) permits deal with alligators and alligator products alone. It's fairly easy to point to instances which depict overregulation. But, as advocates for aquaculture, it is up to the industry to provide accurate information which will help create a comfort level for regulators. Regulators are building a database of information and an appreciation and understanding of aquaculture. As this report on state/territory permits and regulations impacting the aquaculture industry attests, numerous aquaculture specific permits have evolved to "fit" water farming and are being modified in positive ways to recognize the benign character of most aquacultural activities.

In many cases, state and federal agencies have been unfairly criticized for creating a labyrinth of permits and regulations. They are interpreting the will of legislators and special interest groups that charge them with broad mandates to protect the environment.

A carefully applied combination of thorough preparation, common sense, logical thinking and professional behavior will result in timely decisions regarding permit applications.

Keep in mind the importance of regulatory agencies as sources of benefit for your community and the future of aquaculture in the United States. Much of the knowledge to maintain, spawn, grow-out and harvest aquacultural species has come from federal and state facilities that have been active since the 1930's. Natural resource managers are as interested, as the industry is, in insuring aquaculture's future in the United States but they have an additional charge of insuring this happens in a responsible manner.

RECOMMENDATION

Become involved in the process.

Every state in which aquaculture flourishes has active trade organizations, industry advisory bodies to government and supportive legislators. To help yourself and the industry, seek these resources out, make use of their knowledge, provide creative answers to difficult questions and support responsible best management practices and quality assurance programs.

Aquaculture is the wave of the future and will provide nutritious seafood, valuable consumer products, important medical advances and improved quality of life for mankind on into the next century and beyond.

STATE/TERRITORY PERMITS AND REGULATIONS IMPACTING THE AQUACULTURE INDUSTRY is a compilation intended for informational purposes. It does not replace, supersede, or otherwise effect any agency rule, regulation, procedure, or responsibility or effect any regulatory or review requirement. Interested parties should contact appropriate agencies directly for current information or contact the office of your state or territory aquaculture coordinator identified in the appendix. The reader is also encouraged to begin an in-depth discussion with appropriate aquaculture coordinators, extension representatives, and aquaculture trade associations to develop an understanding of the environmental and resource management framework specific to your region.

ALABAMA

There are no Animal Industry rules and regulations that apply to aquaculture in the State of Alabama.



ALASKA

1. **AQUATIC FARMSITE PERMIT**

Issuing Agency: Department of Natural Resources/ Div. of Land Services
Willoughby, Suite 400
Juneau, AK 99801
(907)465-3400 FAX (907)586-2954

Statutory Reference: AS 38.05.855; 38.05.856; 38.05.083; 38.05.945; 38.05.946(b)

Regulatory Reference: 11 AAC 63

Activities Covered: All land or tide/submerged land activities, if those activities occur on state land. The state owns virtually all of the tide/submerged land to the 3-mile limit.

Process: Accept applications during 60-day annual application filing period. Conduct interagency review, develop preliminary findings, conduct public hearing and 30 day public notice. Prepare final decision and conduct a second public notice. The final decision is based on input from the public hearing and comment. After the final public notice a permit is prepared. At the end of the permit (issued for three years) a permittee may go into a non-competitive 10 year lease if in compliance with development plan and all permits.

Fees: \$100 application filing fee. Permit fees = \$250 for the first acre, \$100 additional for each added acre or part thereof. Lease fees are \$800 for 1-7 acres/\$1000 for 7+ acres up to 15. \$85/acre over 15 acres.

Other Information:

2. **SHELLFISH PERMIT (SHELLSTOCK SHIPPER WILL COVER HARVESTER, GROWER AND WHOLESALER)**

Issuing Agency: Department of Environment
Conservation, Div. of Environmental Health
800 E. Diamond Blvd. Suite 3-445
Anchorage, AK 99515
(907)349-7343 FAX (907)349-4775

Statutory Reference: AS. 03.05.011, 03.05.020(a), 03.05.025, 44.46.020

Regulatory Reference: AK Fish Inspection 18AAC 34.205

Activities Covered:	An establishment or vessel that harvests, processes, packs, or repacks shellfish for sale for human consumption or for bait, and a person selling or possessing shellstock for sale for human consumption.
Process:	Potential applicant submits application to regulatory agency for review. Reviewer lists questions and/or deficiencies and requests responses. Satisfactory responses warrant a permit whereas unsatisfactory responses require additional correspondence and communication.
Fees:	"Proposed" - Harvester \$25, Shellstock shipper \$25, Shellfish repacker \$50 and shucker packer \$100.
Other Information:	"Proposed" growing area fees: initial 5 day survey for a new area \$325, recertification of a growing area (one day) \$150. Two or more areas for initial certification of a new area will be prorated.

3. COASTAL ZONE CONSISTENCY DETERMINATION

Issuing Agency:	Division of Governmental Coordination 3601 C St., Suite 370 Anchorage, AK 99503-2798 (907)561-6131 FAX (907)561-6134
Statutory Reference:	6 AAC 80.010 - 6 AAC 80.900
Regulatory Reference:	6 AAC 50.010 - 50.190 Chapter N0. 145 SLA 1988 Alaska Aquatic Farm Legislation National Environmental Policy Act (NEPA) 15 Code Federal Regulations (CFR) Part 930. 33 CFR Parts 320, 321, 322, 323 Coastal District Plans
Activities Covered:	Review activity and permits for shellfish and sea vegetable farming as regards coastal zone consistency. Determine review schedule, issue and discussion.
Process:	Accept applications, initiate review, accept comments, coordinate and facilitate issues resolution, issue coastal consistency determination.
Fees:	None
Other Information:	

4. AQUATIC FARM PERMIT

Issuing Agency: **Department of Fish and Game**
Fisheries Rehabilitation, Enhancement and Development
P.O. Box 3-2000
Juneau, AK 99802-2000
(907)465-4160 FAX (907)465-4168

Statutory Reference:

Regulatory Reference: **5 AAC 41.270**

Activities Covered: **Specific information on farm site, production, development, and operation.**

Process:

Fees:

Other Information:



ARIZONA

1. NEW WELL CONSTRUCTION PERMIT

Issuing Agency: Department of Water Resources
15 S. 15th Ave.
Phoenix, AZ 85004
(602)542-1550 FAX (602)256-0506

Statutory Reference: ARS 45-592.A. and ARS 45-596.

Regulatory Reference:

Activities Covered: Permit required to drill a new well.

Process:

Fees:

Other Information:

2. WELLS EXISTING - ID AND LOGS

Issuing Agency: Department of Water Resources
15 S. 15th Ave.
Phoenix, AZ 85004
(602)542-1550 FAX (602)256-0506

Statutory Reference: ARS 45-593

Regulatory Reference:

Activities Covered: Previously existing wells must be identified and water use logs kept.

Process:

Fees:

Other Information:

3. GRANDFATHER CERTIFICATION - WATER MANAGEMENT DISTRICT

Issuing Agency: Department of Water Resources
15 S. 15th Ave.
Phoenix, AZ 85004
(602)542-1550 FAX (602)256-0506

Statutory Reference:

Regulatory Reference:

Activities Covered:

Process:

Fees:

Other Information:

4. CONTRACTS FOR USE OF PRIVATELY OWNED WATER SYSTEMS

Issuing Agency: Canal Systems and Irrigation Districts
Central Arizona Project/Salt River Project/Others

Statutory Reference:

Regulatory Reference:

Activities Covered: To utilize water from privately operated canal systems,
individual negotiation with private entity must occur.

Process:

Fees:

Other Information:

5. WATER QUALITY CERTIFICATION

Issuing Agency: U.S. Army Corps of Engineers

Statutory Reference: Section 401 CWA

Regulatory Reference:

Activities Covered:

Process:

Fees:

Other Information:

6. CONSTRUCTION / DREDGING PERMIT

Issuing Agency: U.S. Army Corps of Engineers

Statutory Reference: Section 404 CWA

Regulatory Reference:

Activities Covered: To utilize waters of the State also identified as navigable waters.

Process:

Fees:

Other Information:

**7. AQUACULTURE LICENSES - AQUACULTURE FACILITY, FEE FISHING
FACILITY, AQUATIC ANIMAL TRANSPORTER AND PROCESSOR**

Issuing Agency: Department of Agriculture
 1688 W. Adams RM 321
 Phoenix, AZ 85007
 (602)542-4293 FAX (602)542-3244

Statutory Reference: ARS 3-2901 thru ARS 3-2913

Regulatory Reference: R3-2-1001 thru R3-2-1010

Activities Covered: Propagation, transportation, processing of aquatic animals/products, fee fishing operations.

Process: Application and license fee submitted to Dept. of Agric.

Fees: \$100/year (calendar)

Other Information:

8. IMPORT PERMIT

Issuing Agency: Department of Agriculture
 1688 W. Adams RM 321
 Phoenix, AZ 85007
 (602)542-4293 FAX (602)542-3244

Statutory Reference: ARS 3-2901 to ARS 3-2913

Regulatory Reference: R3-2-1010

Activities Covered: Importation of live aquatic animals - prior import permit required

Process: Telephone ADA at (602)542-4293; information required which will include origin, destination, certification of lot/facility, type and quantity being shipped.

Fees: None

Other Information:

9. WILDLIFE STOCKING PERMIT

Issuing Agency: Game and Fish Department
 2222 W. Greenway
 Phoenix, AZ 85023-4399
 (602)942-3000 FAX (602)789-3920

Statutory Reference:

Regulatory Reference:

Activities Covered: Stocking of fish at locations not licensed by the Arizona Dept. of Agriculture as commercial fish farms.

Process: Apply to regional or main office of Game and Fish Dept.

Fees: None

Other Information:

10. WHITE AMUR STOCKING LICENSE

Issuing Agency: Game and Fish Department
 2222 W. Greenway
 Phoenix, AZ 85023-4399
 (602)942-3000 FAX (602)789-3920

Statutory Reference: ARS 17.333.33

Regulatory Reference:

Activities Covered: Stocking of White Amur- triploid only

Process: Apply to regional or main office of Game and Fish Dept.

Fees: \$200/annually

Other Information:

11. DISEASE CERTIFICATION

Issuing Agency: Department of Agriculture
1688 W. Adams RM 321
Phoenix, AZ 85007
(602)542-4293 FAX (602)542-3244

Statutory Reference: ARS 3-2901 to ARS 3-2913

Regulatory Reference: R3-2-1009

Activities Covered: Disease certification of facilities and lots

Process: Licenses - request made to ADA; producer pays expenses of certification. Out-of-State Facilities - must make own arrangements; producer pays expenses.

Fees: Licenses - varies depending on lab fees, travel expenses.

Other Information:

12. BEST MANAGEMENT PRACTICES FOR FEEDING OPERATIONS

Issuing Agency: Department of Environmental Quality
3033 N. Central Ave.
Phoenix, AZ 85012
(602)207-2300 FAX (602)207-2218

Statutory Reference: ARS 49-245-47; Section 318 CWA

Regulatory Reference:

Activities Covered: Aquaculture facilities classified as feeding operations for purposes of regulation of water quality of water discharges.

Process:

Fees:

Other Information:

13. WATER DISCHARGE INTO RIVERS, LAKES, CREEKS

Issuing Agency: Department of Environmental Quality
 3033 N. Central Ave.
 Phoenix, AZ 85012
 (602)207-2300 FAX (602)207-2218

Statutory Reference: ARS 49-221, 222, 225

Regulatory Reference:

Activities Covered: In order to discharge into waters of the State, ADEQ standards must be followed.

Process:

Fees:

Other Information:

14. GROUND WATER RECHARGE PERMIT

Issuing Agency: Department of Water Resources
 15 S. 15th Ave.
 Phoenix, AZ 85004
 (602)542-1550 FAX (602)256-0506

Statutory Reference: ARS 45-652; ARS 49-221, 223, 224, 225.

Regulatory Reference:

Activities Covered: To direct any water (discharge) back into groundwater, must obtain permit and conform to DEQ aquifer water quality standards.

Process:

Fees:

Other Information:



ARKANSAS

1. **HEALTH CERTIFICATION**

Issuing Agency: Department of Health
 4815 W. Markham
 Little Rock, AR 72201
 (501)661-2000

Statutory Reference:

Regulatory Reference:

Activities Covered:

The Department of Health has county offices that certify and inspect facilities where fish are processed, sold, dressed or for immediate consumption. This mandatory certification also applies to any food catering (mobile or stationary) service, even kitchens utilized for non-profit public food service such as church kitchens. This process includes septic tank and water source inspection.

Process:

Fees:

Other Information:

2. **CITY PRIVILEGE TAX**

Issuing Agency: Local Government

Statutory Reference:

Regulatory Reference:

Activities Covered:

City ordinances generally require a yearly privilege tax for businesses inside city limits. Some cities even have specific permits for such activities as fish markets. A general permit will otherwise be sufficient.

Process:

Fees: The average fee for a general permit is \$30 - \$50.

Other Information:

3. CITY WATER/SEWER MUNICIPAL
Issuing Agency: Local Government

Statutory Reference:

Regulatory Reference:

Activities Covered: Excess water discharge into city sewer lines is subject to additional permits and fees according to city ordinances.

Process:

Fees:

Other Information:

4. SALES AND USE TAX PERMITS

Issuing Agency: Department of Finance and Administration
401 DF and A Building
Little Rock, AR 72205
(501)371-2242 or (501)682-7104

Statutory Reference:

Regulatory Reference:

Activities Covered: A business that provides a service or merchandise must pay a deposit of \$250 to receive a sales and use tax permit. A refund is granted within six months if that business or its sales outlets do not charge sales tax to its customers.

Process:

Fees:

Other Information:

5. NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES)
Issuing Agency: Department of Pollution Control and Ecology
8001 National Drive
Little Rock, AR 72209
(501)562-7444

Statutory Reference:

Regulatory Reference:

Activities Covered:

All direct discharge from a processing plant, cold water or warm water fish producers that discharge at least 30 days/year, report such discharges and apply for a discharge permit. Exemptions: production limits of up to 100,000 lbs/warm water species, 20,000 lbs/cold water, maximum feeding rate of 5,000 lbs of feed during any month or closed ponds which discharge only during periods of excess runoff.

Process:

Fees:

Other Information:

6. "LETTER OF NO OBJECTION"

Issuing Agency: Department of Pollution Control and Ecology
8001 National Drive
Little Rock, AR 72209
(501)562-7444

Statutory Reference: Section 404 of the Federal Clean Water Act

Regulatory Reference:

Activities Covered:

Any person filing a general wetlands permit application for land excavation such as pond construction must apply to the ADPC&E for a "Letter of No Objection" certifying that water quality will not be adversely affected by the project.

Process:

Fees:

Other Information:

7. FISH FARMERS PERMIT

Issuing Agency: Game and Fish Commission
#2 Natural Resources Drive
Little Rock, AR 72295
(501)223-6300

Statutory Reference:

Regulatory Reference:

Activities Covered: Fish farmers are required to be annually permitted to culture aquaculture species.

Process:

Fees: \$15

Other Information:

8. FISH DEALERS LICENSE

Issuing Agency: Game and Fish Commission
#2 Natural Resources Drive
Little Rock, AR 72295
(501)223-6300

Statutory Reference:

Regulatory Reference:

Activities Covered: Required for each business location that offers for sale live fish in the state.

Process:

Fees: \$10

Other Information:

9. WETLANDS PERMIT

Issuing Agency: U.S. Army Corps of Engineers
Federal Building
P.O. Box 867
Little Rock, AR 72160
(501)324-5296

Statutory Reference: Section 404 of the Federal Clean Water Act

Regulatory Reference:

Activities Covered: The U.S. Army Corps of Engineers has the authority, along with other agencies, to regulate and permit activities on wetland sites. Such activities include any land excavation\pond construction or any other building activities.

Process: To determine whether your site is a "wetlands" contact the Agricultural and Conservation Service. They can provide Form 1026, "Request for Wetlands Determination," and send the completed form to the Soil Conservation Service office (SCS). If the SCS determines that the land is not a wetlands or to be prior converted cropland, they can issue a permit and activities can begin. If not, a permit application and a "Letter of No Objection" form ADPC&E must be sent to the Army Corps of Engineers for authorization.

Fees:

Other Information: Soil Conservation Service
5404 Federal Office Building
700 West Capitol Ave.
Little Rock, AR 72201
(501)324-5209

10. DEPREDATION PERMIT

Issuing Agency: U.S. Fish and Wildlife Service
75 Springs Street South West
Room #1200
Atlanta, GA 30303
(404)331-0295

Statutory Reference:

Regulatory Reference:

Activities Covered: To legally shoot birds creating aquaculture damage. The permit allows limited numbers of specific species of birds to be taken.

Process: The USDA Animal Damage Control provides assistance with evaluating bird depredation situations, recommends solutions, handles the application-renewal process and has oversight of bird depredation permits once issued.

Fees:

Other Information: U.S. Dept of Agriculture
Animal Damage Control
Room 55, Post Office Building
600 West Capitol Ave.
Little Rock, AR 72201
(501)378-5382

11. FISH HEALTH CERTIFICATION (OPTIONAL PERMITTING)

Issuing Agency: University of Arkansas Cooperative Extension Service;

Lonoke Agriculture Extension and Research Center
P.O. Drawer D
Lonoke, AR 72086
(501)676-3124

Chicot County Extension Office
405 Suite A, Highway 65 and 82
Lake Village, AR 71653
(501)265-5883

Statutory Reference:

Regulatory Reference:

Activities Covered: Provide health certifications for out-of-state shipment of fish.

Process:

Fees: None

Other Information: The U.S Fish and Wildlife Service, Fish Farming Experimental Laboratory also inspects, at the producer's request, out-of-state shipments of grass carp going to a state which requires triploid certification. Contact P.O. Box 860, Stuttgart, Arkansas 72160-0860, or (501)673-4483.

12. PROCESSOR PERMIT

Issuing Agency: State Plant Board
P.O. Box 1069
Little Rock, AR 72205
(501)225-1598

Statutory Reference: Arkansas Catfish Processor Fair Practices Act

Regulatory Reference:

Activities Covered: Processors are required to register for a permit if they exceed \$100,000 worth of annual purchases.

Process:

Fees:

Other Information:

13. FEED PERMIT

Issuing Agency: State Plant Board
P.O. Box 1069
Little Rock, AR 72205
(501)225-1598

Statutory Reference: Arkansas Feed Law

Regulatory Reference:

Activities Covered: Requires registration, sampling, testing for quality ingredients guarantee by feed manufactures for the quality assurance of feed used in Arkansas.

Process:

Fees:

Other Information:

14. PESTICIDE USE AND APPLICATION LICENSE

Issuing Agency: Cooperative Extension Service
P.O. Box 391
Little Rock, AR 72203
(501)671-2000

Statutory Reference:

Regulatory Reference:

Activities Covered: Requires that applicators of restricted use chemicals pass a test on proper safety, handling and application techniques before issuing a license.

Process:

Fees:

Other Information:

15. QUALITY ASSURANCE INSPECTION (NOT MANDATORY)

Issuing Agency: U.S. Dept. of Commerce
14th Street Constitution Ave. & East Street North West
Washington, DC 20230
(202)377-2000

Statutory Reference: Federal Standard Sanitation Standards for Fish Plants,
FED-STD 369, August 2, 1977

Regulatory Reference: Title 50 CFR Part 260 or 267

Activities Covered: USDC has federal inspectors that will upon request inspect processing plants, facilities, and grade aquaculture products for quality assurance. If the product passes inspection, it can display the federal inspection statement, "Packed Under Federal Inspection" (PUFI), on the label and/or carton. An additional grading option can be provided so the product will show a U.S. grade shield of quality level. The Catfish Institute allows processors who meet the USDC criteria to use TCI's registered trademarks on their catfish. Inspections may soon be mandatory to insure consumers a quality product.

Process:

Fees:

Other Information:



CALIFORNIA

1. ARMY CORPS OF ENGINEERS "404" PERMIT

Issuing Agency: District Engineer

San Francisco District Corps of Engineers Regulatory Branch
211 Main St.
San Francisco, CA 94105
(415)974-0416

U.S. Army Corps of Engineers Regulatory Section
1325 J. Street
Sacramento, CA 95814-2922
(916)551-5100

Los Angeles District Corps of Engineers 300 North Los Angeles St.
Los Angeles, CA 90012
(213)894-5606

Statutory Reference: Section 404, Federal Water Pollution Control Act, as Amended by the Clean Water Act of 1977. Section 9 and 10 of the River and Harbor Act of 1899.

Regulatory Reference:

Activities Covered: Location of a structure, excavation, or discharge of dredged or fill material into waters of the U.S.

Process: Applicant submits Form 4345 to the Corps. Applications are processed in the order received. Corps prepares a Public Notice containing an Environmental Assessment of the proposed project and circulates it for 30 days. If the Assessment finds no significant environmental impacts, and if there are no objections, the Corps may issue a permit within 30 days after the close of public notice. If objections are raised, the applicant may rebut. If the Assessment finds that the project may result in significant environmental affects, the Corps may require an Environmental Impact Statement, holding public hearings to gather additional information. After the environmental issues and/or objections have been resolved, if the permit is found to be in the public interest, it is issued upon payment of the appropriate fee.

Fees: \$100

Other Information:

2. PRIVATE AIDS TO NAVIGATION

Issuing Agency: Commander OAN
Eleventh Coast Guard District
501 West Ocean Blvd.
Long Beach, CA 90822
(310)980-4300 ext. 501

Statutory Reference:

Regulatory Reference: Part 66, Title 33, Code of Federal Regs.

Activities Covered: Placing aids to navigation in navigable waters.

Process: Applicant completes and files Form USCG 2554. Private Aids to Navigation Application. Coast Guard reviews application and establishes requirements.

Fees: None

Other Information:

3. AQUACULTURE REGISTRATION

Issuing Agency: Department of Fish and Game
1416 Ninth Street
Sacramento, CA 95814
(916)653-6194 FAX (916)653-8256

Statutory Reference: Sec. 15101, California Fish and Game Code.

Regulatory Reference: Sec. 235, Title 14, Calif. Code of Reg.

Activities Covered: Aquaculture operations

Process: Application describing facility location, design and species to be cultivated is reviewed by regional biologist(s). Site visit, if necessary.

Fees: \$400 for new application, \$250/year annual renewal plus \$300/year annual surcharge for operations with gross sales greater than \$25,000/year.

Other Information:

4. IMPORTATION PERMIT

Issuing Agency: Department of Fish and Game
1416 Ninth Street
Sacramento, CA 95814
(916)653-6194 FAX (916)653-8256

Statutory Reference: Sec. 15600, California F&G Code

Regulatory Reference: Sec. 236, Title 14, CCR

Activities Covered: Importation of live aquatic plants and animals.

Process: Application describing species, origin, and destination is reviewed by fisheries biologist, disease certifications are verified, disease inspections scheduled, valid permit required prior to importation.

Fees: \$32 plus cost of inspection

Other Information:

5. WILD BROODSTOCK COLLECTION PERMIT

Issuing Agency: Department of Fish and Game
1416 Ninth Street
Sacramento, CA 95814
(916)653-6194 FAX (916)653-8256

Statutory Reference: Sec. 5503 and 15300. F&G Code

Regulatory Reference: Sec. 243, Title 14, CCR

Activities Covered: Collection of wild aquatic stock for use in developing broodstock.

Process:	Application describing species, location and method of collection is reviewed by fishery biologist. Permits for white sturgeon or striped bass collection require special authorization from the Fish and Game Commission. Applicants for white sturgeon permits must obtain approval of broodstock development plan. Striped bass collections require presence of DFG observer.
Fees:	\$32 plus any necessary DFG expenses. Fee for white sturgeon or striped bass permit is \$500. Striped bass observer fee is \$280/day.
Other Information:	Terms of collection normally require return of collected stock to wild after spawning and stocking of mitigation fish.
6. STREAMBED ALTERATION AGREEMENT	
Issuing Agency:	Department of Fish and Game 1416 Ninth Street Sacramento, CA 95814 (916)653-6194 FAX (916)653-8256
Statutory Reference:	Sections 1600-1607, F&G Code
Regulatory Reference:	
Activities Covered:	Lake and Streambed Alteration/Diversion
Process:	Lake/Streambed Alteration Agreement negotiated to avoid or mitigate any adverse impacts to fish and wildlife resources caused by project.
Fees:	Range from \$132 to \$1191 and depend on project impacts and development cost of project (cost categories are <\$25,000, \$25,000-\$500,000, and >\$500,000). Fee may be required annually.
Other Information:	

7. STATE WATER BOTTOM LEASE

Issuing Agency: Department of Fish and Game
1416 Ninth Street
Sacramento, CA 95814
(916)653-6194 FAX (916)653-8256

Statutory Reference: Sections 15400-15415, F&G Code

Regulatory Reference: Sec. 237, Title 14, CCR

Activities Covered: Aquaculture on, or over, State owned tidal or subtidal ocean water bottoms.

Process: Application describing location and methods reviewed by DFG, State Lands Commission, and Department of Health Services. Recommendation by DFG to F & G Commission as part of public hearing process. Commission grants lease, requires annual proof of use or lease declared abandoned.

Fees: Application fee \$500. Plus, annual rent by competitive bid or minimum of \$2/acre for leases over 10 acres, \$10/acre if 10 acres or less. Plus, tax on production not to exceed landing tax rates for wild harvest.

Other Information:

8. STATE LAND LEASE

Issuing Agency: State Lands Commission
1807 13th Street
Sacramento, CA 95814
(916)322-7193 FAX (916)322-3568

Statutory Reference: Section 6501, Public Resources Code

Regulatory Reference:

Activities Covered: Lease of right of way across State submerged lands and beaches for ocean intake and discharge pipes for onshore aquaculture facilities.

Process: Application from project sponsor reviewed by Commission staff includes determination of appropriate level of environmental documentation that will be required. After environmental documents are circulated, a public hearing is held and the Commission makes a determination whether or not to issue the lease.

Fees: Application fee of \$1750 plus \$25 filing fee. Annual rent is based on 9% of appraised value of the leased lands or \$.02/dia. inch/linear foot, with a minimum rent of \$100.

Other Information: Term of lease up to 20 years.

9. SHELLFISH HANDLING AND MARKETING CERTIFICATE

Issuing Agency: Department Of Health Services
Food and Drug Branch
601 N. 7th Street
P.O. Box 942732
Sacramento, CA 94234-7320
(916)445-2263 FAX (916)322-6326

Statutory Reference: Sec.28500-28519.5, Health and Safety Code

Regulatory Reference: Sections 7707-7762, Title 17, CCR

Activities Covered: Facilities, equipment, handling, shucking, storing, packaging and shipping of shellfish after harvest.

Process: Application reviewed by DHS, plant inspected (periodic unannounced inspections during operation), packing & shipping requirements described. Preapproval required for on-shore wet storage, depuration facilities and processes.

Fees: None

Other Information: California program conforms to National Shellfish Sanitation Program guidelines

10. SHELLFISH GROWING AREA CERTIFICATE

Issuing Agency: Department of Health Services
Environmental Management Branch
601 N. 7th Street
P.O. Box 942732
Sacramento, CA 94234-7320
(916)324-2205 FAX (916)323-9869

Statutory Reference: Sections 28500-28508, 28516-28519.5, Health and Safety Code

Regulatory Reference: Sections 7706-7733, Title 17, CCR

Activities Covered: Cultivation and harvesting of bivalve shellfish for sale for human consumption.

Process: Application reviewed by DHS to assure that growing water meets standards of cleanliness. Water samples analyzed, watershed evaluated, on-going water-quality data required.

Fees: None

Other Information: California program conforms to National Shellfish Sanitation Program guidelines.

11. COASTAL DEVELOPMENT PERMIT

Issuing Agency: California Coastal Commission
45 Fremont St., Suite 2000
San Francisco, CA 94105
(415)904-5200 FAX (415)904-5400

Statutory Reference:

Regulatory Reference:

Activities Covered: Project Approval for development within the coastal zone.

Process: Application reviewed by Commission staff for recommendation at public hearing to Commission which also hears testimony of applicant and other concerned parties. If the Commission has previously certified a local coastal program, a local government has the authority to issue permits within the onshore jurisdiction. Decisions of local governments may be appealed to the Commission.

Fees: Dependent on project, range from \$200 to \$2000. Fee for aquaculture projects with development costs less than \$100,000 are most often \$600.

Other Information:

12. WEIGHMASTER LICENSE

Issuing Agency: Department of Food and Agriculture
Division of Measurement Standards
8500 Fruitridge Road
Sacramento, CA 95826
(916)387-4241 FAX (916)387-4260

Statutory Reference: Sections 12700-12736, Business and Professions Code

Regulatory Reference:

Activities Covered: Weighing, measuring, or counting any commodity and issuing a statement used as the basis for either the purchase or sale of that commodity or charge for service.

Process: License issued upon application and payment of fees. Form (Certificates) for use prescribed, and maintenance of records required. License renewed annually.

Fees: \$75/yr for fixed location, \$30/yr for each additional fixed location, \$200/yr if location not fixed, \$20/yr for each deputy weighmaster.

Other Information: Use of displacement method for weighing live fish is permitted.

13. WASTE DISCHARGE REQUIREMENTS (WDR)

Issuing Agency: Regional Water Quality Control Boards
 (916)657-2390 FAX (916)657-2388

Statutory Reference: Sections 13260-13272, California Water Code

Regulatory Reference: Sec. 2200-2235.4, Title 23, CCR

Activities Covered: Discharge of Waste which may affect groundwater quality

Process: Applicant files a complete "Report of Waste Discharge" with the appropriate Regional Board at least 120 days before discharging waste. Report evaluated by the Regional Board staff to determine whether the discharge is consistent with adopted water quality standards. At a public meeting, Board sets limits on the discharge as a condition of approval.

Fees: Annual fees dependant on type and volume of discharge.
 Range from \$200 to \$10,000.

Other Information: The need for Waste Discharge Requirements may be waived by the Regional Board based on site-specific factors.

14. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

Issuing Agency: Regional Water Quality Control Boards
 (916)657-2390 FAX (916)657-2388

Statutory Reference: Sections 13260- 13272, California Water Code Sections 318 and 402, Federal, Pollution Control Act, as Amended by the Clean water Act of 1977

Regulatory Reference: Sec. 2200-2235.4, Title 23, CCR
 Sec. 122.224-125.3, Code of Federal Regulations.

Activities Covered: Discharge of waste to surface waters.

Process: File a complete "Report of Waste Discharge" with the appropriate Regional Board at least 180 days before discharge. Board forwards report to Regional Administrator of the federal EPA for review and comment. Board staff prepares tentative permit for review and comment by EPA. At a public meeting, Board adopts or modifies permit. If, within 10 days, EPA objects, the permit does not become effective until the State Water Resources Control Board satisfies all objections.

Fees: Annual - depend on type and volume of discharge.
Range: \$200 to \$10,000.

Other Information: NPDES Permit may be waived by the Regional Board based on site-specific factors.

15. PERMIT TO APPROPRIATE WATER

Issuing Agency: State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95810
(916)322-4503

Statutory Reference: Sections 1200 through 1851, Part 2 of Division 2, California Water Code

Regulatory Reference: Sections 650 through 860, Subchapter 2, Title 23, CCR.

Activities Covered: Diversion of water from a surface stream or other body of water for use on non-riparian land; to store unappropriated surface water seasonally; direct use of water which would not be naturally in the source (ie. agricultural return waters); to divert groundwater flowing in a known and definite subterranean channel.

Process: Submit "Application to Appropriate Unappropriated Water"

Fees: Depends on rate or amount of water requested: minimum \$100 filing fee and \$100 permit fee. An environmental processing fee of \$850 by Dept. of Fish and Game.

Other Information:

16. STATEMENT OF WATER DIVERSION AND USE

Issuing Agency: State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95810
(916)322-4503

Statutory Reference: Sections 5100 through 5108, Part 5.1 of Division 2,
California Water Code.

Regulatory Reference: None

Activities Covered: Diversion of water under a riparian claim and
appropriations initiated prior to December 19, 1914.

Process: Water users submit "Statement of Water Diversion and Use". Every three years, supplemental statements reiterating name and address of the user, owner of the property the water is used on, and the name of the stream and amount of water taken from it are filed. Division of Water Rights assigns an identification number to the Statement and returns one copy to the water user.

Fees: None

Other Information:

17. MIGRATORY BIRD DEPREDATION PERMIT

Issuing Agency: U.S. Fish and Wildlife Service
Division of Law Enforcement
911 N.E. 11th Ave.
Portland, OR 97232-4181
(503)231-6125 FAX (503)231-6197

Statutory Reference: Migratory Bird Treaty Act

Regulatory Reference: Parts 13 and 21, Title 50, CFR

Activities Covered: Using lethal control methods on migratory birds, as limited by each permit, which are causing aquaculture crop losses.

Process: Application is investigated by local USDA, APHIS-ADC biologist. ADC documents losses at the farm and makes a recommendation to USFWS on the types and numbers of birds for permit. USFWS reviews the recommendations and makes a determination whether or not to issue the permit, and of the types and numbers of birds to include. A copy of each permit is made available to California DFG following issuance.

Fees: \$25

Other Information:

COLORADO

1. COLORADO AQUACULTURE PERMIT

Issuing Agency: Department of Agriculture/Markets Division
700 Kipling St. Suite 4000
Lakewood, CO 80215
(303)239-4114 FAX (303) 239-4125

Statutory Reference: 35-24.5-101

Regulatory Reference:

Activities Covered: Propagation and culturing of aquatic species.

Process: Application must be submitted to the Department of Agriculture.

Fees: \$150 annually

Other Information:

2. PERMIT TO CONSTRUCT A WELL

Issuing Agency: Division of Water Resources
1313 Sherman Rm 818
Denver, CO 80203
(303)866-3581 FAX (303)866-3589

Statutory Reference: Sections 37-90-107 and 137, CRS

Regulatory Reference: 2 CCR 410-1, 2 CCR 402-4

Activities Covered: Diversion and beneficial use of underground water and well construction.

Process: Submit application for evaluation (in some cases publication is required). If proposal complies with the statutes and no other water rights are injured a permit is granted. If the permit is denied it may be appealed as provided by law.

Fees: \$60 filing fee

Other Information: This permit would be required only if underground water was to be used or exposed for the operation. A water right may also be required.

3. WATER RIGHTS APPROVAL

Issuing Agency: State Water Courts

Statutory Reference: Section 37-92-101 CRS

Regulatory Reference:

Activities Covered: Determination and Administration of water rights.

Process: Application to Water Court, publication for objections, ruling of referee, hearing if needed, Water Court Judge decision on the water rights and its priority

Fees: Yes (varies)

Other Information: The Division of Water Resources (State Engineer) is responsible for administration of water rights under the priority system.

CONNECTICUT

1. LEASING OF SHELLFISH GROUNDS

Issuing Agency: Department of Agriculture
Aquaculture Division
P.O. Box 97
Milford, CT 06460
(203)874-0696 FAX (203)783-4217

Statutory Reference: Sec. 26-194

Regulatory Reference:

Activities Covered: Leasing of submerged lands in marine waters for shellfish bottom culture.

Process: Competitive bid process. Minimum bid \$2/acre.

Fees: Application fee \$65; surveying fee \$35/corner; legal notice fee, plus annual lease fee established by bid process.

Other Information: Ten acre minimum, 3-10 year term with renewal option.

2. INSPECTION AND REGULATIONS CONCERNING SHELLFISH LICENSE

Issuing Agency: Department of Agriculture
Aquaculture Division
P.O. Box 97
Milford, CT 06460
(203)874-0696 FAX (203)783-4217

Statutory Reference: Sec. 26-192c, 26-192h.

Regulatory Reference:

Activities Covered: Shellfish harvesting, transplant, relay, depuration and processing.

Process: Through application process and inspection

Fees: Under review - presently no fee required.

Other Information: Based on National Shellfish Sanitation Program requirements.

3. DEPOSITING SHELLFISH IN TIDAL WATERS - REGULATIONS

Issuing Agency: Department of Agriculture
Aquaculture Division
P.O. Box 97
Milford, CT 06460
(203)874-0696 FAX (203)783-4217

Statutory Reference: Sec. 26-224a.

Regulatory Reference:

Activities Covered: Importation of shellfish, inspection of hatcheries.

Process: Application process, inspections.

Fees: Variable, to convert costs of inspection, testing, etc.

Other Information:

4. STRUCTURES, DREDGING AND FILL IN TIDAL, COASTAL OR NAVIGABLE WATERS

Issuing Agency: Department of Environmental Protection
Office of Long Island Sound Programs
79 Elm Street
Hartford, CT 06106
(203)566-7404 FAX (203)566-5488

Statutory Reference: Sec. 22a-359 through 22a-363f.

Regulatory Reference:

Activities Covered: Placement of fill, dredging and structures such as buildings, floats, docks, culverts, intake and outfall pipes, etc.

Process: Application process, plan and site review, payment of fees.

Fees: Dependent on size of water area occupied - \$350 minimum.

Other Information: Certain in-water activity may only require a certificate of permission from agency - Fee \$200.

5. COMMERCIAL FISH HATCHERIES

Issuing Agency: Department of Environmental Protection
 Bureau of Fisheries
 79 Elm Street
 Hartford, CT 06106
 (203)566-2287

Statutory Reference: Sec. 26-149

Regulatory Reference:

Activities Covered: Establishment of commercial fish hatchery where legally acquired fish are held, hatched and/or reared for sale.

Process: Application process, payment of fees.

Fees: Annual \$50 fee

Other Information: Annual reporting requirements for live fish and live fish eggs received or sold.

6. TRANSPORTATION AND EXPORTATION OF FISH, REPTILES OR AMPHIBIANS

Issuing Agency: Department of Environmental Protection
 Bureau of Fisheries
 79 Elm Street
 Hartford, CT 06106
 (203)566-2287

Statutory Reference: Sec. 26-57

Regulatory Reference:

Activities Covered: Transportation within the State and/or transport out of State any fish, reptile or amphibian (also pertains to birds and quadrupeds).

Process: Application to agency.

Fees: Presently no fee.

Other Information: Tag and label requirements.

7. PERMIT FOR NEW DISCHARGE 401 CERTIFICATION/NPDES

Issuing Agency: Department of Environmental Protection
Water Management Bureau
79 Elm Street
Hartford, CT 06106
(203)566-7167

Statutory Reference: Sec. 22a-4306*

Regulatory Reference:

Activities Covered: To initiate, create, originate or maintain any discharge of water, substance or material into the waters of the State.

Process: Application, review, public notice. Payment of fees.

Fees: Fees are variable. Contact agency.

Other Information: *Sec. 22a-4306 provides for agency to issue general permits for certain categories of discharges. NOT ALL AQUACULTURE DISCHARGES ARE SUBJECT TO 401 OR NPDES.

8. WATER DIVERSION PERMIT

Issuing Agency: Department of Environmental Protection
Water Management Bureau
79 Elm Street
Hartford, CT 06106
(203)566-7167

Statutory Reference: Sec. 22a-369.

Regulatory Reference:

Activities Covered: Water withdrawal, alteration, modification or diminution of State water resources for consumptive uses GREATER THAN 50,000 GALLONS PER DAY.

Process: Application, review, hearing process. Payment of fees.

Fees: Variable depending on volume and water shed size.

Other Information:

DELAWARE

1. EROSION AND SEDIMENTATION CONTROL

(Note: Revisions to State Regulations currently under consideration.)

Issuing Agency: Department of Natural Resources
Division of Soil & Water
89 Kings Highway
Dover, DE 19901
(302)739-4506

Statutory Reference: Title 7, DEL. Code, Chapter 40

Regulatory Reference: Authorized by Chapter 40

Activities Covered: All land disturbing activities including agriculture.

Process: Administered through local soil conservation districts in Kent and Sussex counties and through NCC-Department of Public Works and soil conservation district.

Fees:

Other Information:

2. DRAINAGE OF LANDS, TAX DITCHES

Issuing Agency: Department of Natural Resources
Division of Soil & Water
89 Kings Highway
Dover, DE 19901
(302)739-4506

Statutory Reference: Title 7, DEL. Code, Chapter 41

Regulatory Reference: Authorized by Chapter 41

Activities Covered: Water management and flood prevention on lands subject to overflow.

Process: Owners of land desiring drainage or protection from flooding may petition, through the Board of Supervisors of the county soil conservation district, for the formation of a tax ditch to the Superior Court of the county in which all or a major portion of area to be drained or protected is located.

Fees:

Other Information:

3. **PUBLIC LANDS USE**

Issuing Agency: Department of Natural Resources
89 Kings Highway
Dover, DE 19901
(302)739-4506

Statutory Reference: Title 7, **DEL. Code, Chapter 45**, Section 13.

Regulatory Reference: Chapter 45 and/or Chapter 21 of this title.

Process:

Fees:

Other Information:

4. **TIDAL WETLANDS PERMIT**

Issuing Agency: Department of Natural Resources
Division of Wetlands
89 Kings Highway
Dover, DE 19901
(302)739-4506

Statutory Reference: Title 7, **DEL. Code, Chapter 66**

Activities Covered: The dredging, draining, filling, bulk - heading, or construction of any kind on lands above mean low water elevation subject to tidal action.

Process: Complete a detailed application and submit with filing fee to DNREC.

Fees:

Other Information:

5. SUBAQUEOUS LANDS PERMIT

Issuing Agency: Department of Natural Resources
Division of Wetlands
89 Kings Highway
Dover, DE 19901
(302)739-4506

Statutory Reference: Title 7, DEL. Code, Chapter 72

Activities Covered: The use of subaqueous lands, those lands lying beneath the water which the state has not granted to private land owners.

Process: Complete application and submit with a filing fee to DNREC. Included must be a general report and description of the proposed project prepared by a professional engineer or other qualified person.

Fees:

Other Information:

6. DREDGE AND FILL PERMIT

Issuing Agency: Army Corps of Engineers
Wannamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390
(215)656-6725

Statutory Reference: Section 10 (33 USC 403) Rivers and Harbor Act
Section 404 (33 USC 1344) Clean Water Act

Activities Covered: Placement of structures, excavation, or deposit of dredge or fill material into navigable waters of the United States.

Process: Apply to Army Corps of Engineers. Include a project description with a site drawing of the proposed work on 8.5 by 11 paper and quantities of fill and/or amount of dredge.

Fees:

Other Information:

7. HISTORIC RESOURCES

Issuing Agency: Delaware State Historic Preservation Office
15 The Green
Dover, DE 19901
(302)739-5685 FAX (302)739-5660

Statutory Reference: Section 106 of the National Historic Preservation Act. 36 CFR, Part 800 (16 USC, Subsection 470-F)

Activities Covered: Any undertaking that has the potential to adversely affect any historic property, building, district, object, structure, or archeological site which is listed or eligible to be listed in the National Register of Historic Places.

Process: Initiate contact with the State Historic Preservation Officer before project undertaking.

Fees:

Other Information:

8. AQUACULTURE REGISTRATION

Issuing Agency: Department of Natural Resources
Division of Fish & Wildlife
89 Kings Highway
Dover, DE 19901
(302)739-4506

Statutory Reference: Title 7, DEL. Code, Chapter 9, 903(j) and 929(a).

Activities Covered: Permits the artificial propagation, aquaculture and possession of finfish which otherwise would be illegal. It provides for their immediate return to their waters after obtaining eggs and sperm or disposal as specified. A permit stipulates the time, area, number and sex of brood fish and the methods of collecting fish. Minimum size possession limits are exempted. It also provides for the identification of aquaculture products.

Process: Letter of intent with specific dates, places, methods, numbers by sex.

Fees:

Other Information:

9. THE LACY ACT (1900) AND BLACK BASS ACT (1925)

Activities Covered:

Prohibits the interstate shipment of illegally taken fish and wildlife. Consequently, the possession of aquaculture products, that are protected by federal and state law, must have permit issued by the State and be identified (required to be labeled) to comply with the Acts. No permits available from federal agencies - only state.

Penalty:

Varies for different sections.

10. SHELLFISH LEASES

Issuing Agency:

Department of Natural Resources
Division of Fish & Wildlife
89 Kings Highway
Dover, DE 19901
(302)739-4506

Statutory Reference: Title 7, DEL. Code, Chapters 19-26

Regulatory References:

Activities Covered:

§1905, Title 7, DEL. Code, prohibits the leasing of shellfish grounds in the inland bays until the General Assembly approves the plan.

Process:

Fees:

Other Information:

11. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

Issuing Agency:

Department of Natural Resources
Division of Water Resources
89 Kings Highway
Dover, DE 19901
(302)739-4506

Statutory Reference: Fed. Regs. - 40 CFR, Chapter 1, §122.24/Clean Water Act.

Regulatory Reference:

Activities Covered: Concentrated aquatic animal production facilities, as defined below, are point sources subject to the NPDES permit program. Permit required for discharge of pollutants into surface waters by a point source.

Criteria include a hatchery, fish farm, or other facility if it contains, grows, or holds aquatic animals in either of the following categories:

Cold Water Fish Species (such as trout and salmon) or other coldwater aquatic animals in ponds, raceways, or other similar structures which produce 20,000 lbs. per year of species and which feed 5,000 lbs. or more per year and discharge at least 30 days per year.

Warm Water Fish Species (such as catfish, minnows) or other warm water aquatic animal ponds, raceways, or other similar structures which discharge at least 30 days per year and produce 100,000 lbs. or more of aquatic animals per year (closed ponds which discharge only during periods of excess runoff are not included).

Process: Apply to the DNREC, Division of Water Resources, Surface Water Management.

Fees:

Other Information: State Regulations Governing the Control of Water Pollution, Section 4, Part II, discharges subject to the requirements of NPDES. (Authorized under Chapter 60, Delaware Environmental Protection Act.):

Any person required to comply with requirements of NPDES program shall also be subject to additional requirements imposed under this section.

Includes permit application requirements; tentative determinations; public notice; monitoring, etc.

12. CONSTRUCTION OF WATER WELLS

Issuing Agency: Department of Natural Resources
Division of Water Resources
89 Kings Highway
Dover, DE 19901
(302)739-4506

Statutory Reference: Delaware Environmental Protection Act, Title 7, DEL.
Code, Chapter 60, §6010

Regulatory Reference:

Activities Covered: Well construction activities from the initial penetration or excavation of the ground, through development, equipment installation and disinfection; and carried out by persons having a valid license pursuant to provisions of regulations to license well contractors, well drillers, well drivers and pump installers. A well may not be constructed until DNREC has issued a well construction permit to the applicant or water well contractor.

Process: Apply to DNREC, Division of Water Resources, Ground Water Management.

Fees:

Other information:

13. WATER ALLOCATION

Issuing Agency: Department of Natural Resources
Division of Water Resources
89 Kings Highway
Dover, DE 19901
(302)739-4506

Statutory Reference: Delaware Environmental Protection Act, Title 7, DEL.
Code, Chapter 60

Regulatory Reference:

Activities Covered: Allocation of water from surface and underground sources. Anyone who withdraws more than 50,000 gal. per day must have an allocation permit. (Water withdrawals of 50,000 gallons or less in 24 hrs. are granted with permits to construct water dependent facilities for which the withdrawals are made.)

Process: Apply to DNREC, Division of Water Resources, Ground Water Management.

Fees:

Other Information:

14. PROTECTION OF PUBLIC HEALTH

Issuing Agency: Department of Health and Social Services
Division of Public Health
Health Protection Systems
P.O. Box 637
Federal and Water Streets
Dover, DE 19903
(302)739-4731 FAX (302)739-6617

Statutory Reference: Title 16, DEL. Code, Section 122

Regulatory Reference:

Activities Covered: Empowers the State Board of Health to provide for the production, handling, processing, transportation, and sale of shellfish; provide for the sanitary protection of water supplies; and provide for the sanitary control of public swimming and bathing places.

Process: Apply to DHSS, Division of Public Health - Bureau of environmental Health.

Fees:

Other Information:

FLORIDA

1. FOOD PERMIT

Issuing Agency: Department of Agriculture and Consumer Services
Bureau of Food and Meat Inspection
3125 Conner Boulevard, M-A
Tallahassee, FL 32399-1650
(904)488-3951 FAX (904)488-7806

Statutory Reference: Section 500.12, Florida Statutes

Regulatory Reference: Rule 5E-6.010, Florida Administrative Code

Activities Covered: Processing, packaging and/or wholesale/retail sale of foods.

Process:

Fees: Variable

Other Information:

2. INDUSTRIAL WASTEWATER FACILITY PERMIT

Issuing Agency: Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400
(904)488-4522 FAX (904)487-3618

Statutory Reference: Chapter 403, Florida Statutes

Regulatory Reference: Chapter 62-660, Industrial Wastewater Facilities, Chapter 62-620, Wastewater Facility Permitting, and Chapter 62-4, Permits, Florida Administrative Code

Activities Covered: Construction/operation of aquaculture operations that can reasonably be expected as a source of pollution and are not eligible for 1) General Permit for Fish Farms 2) General Permit for Marine Bivalve Facilities or 3) officially exempted from industrial wastewater permit requirements.

Process: 1) Permittee prepares and submits application form with engineering report 2) District office reviews application 3) Permit issued or denied 4) Permittee reapplies in five years.

Fees:	Wastewater permit fee is \$2000 if water retained on site (includes discharge to ground water) and \$2500 if a surface water discharge (for 5 year permit). A fee equal and in addition to the wastewater permit fee is required for review of the engineering report for the initial application. Annual fee is \$200 if wastewater retained on site and \$2900 if a surface water discharge.
Other Information:	Permits are issued at district offices. Recommend pre-application meetings to discuss proposed projects and permit requirements. Permit applications must be sealed by a Professional Engineer registered in the State of Florida.
3. <u>GENERAL PERMIT FOR FISH FARMS</u>	
Issuing Agency:	Department of Environmental Protection Twin Towers Office Building 2600 Blair Stone Road Tallahassee, FL 32399-2400 (904)488-4522 FAX (904)487-3618
Statutory Reference:	Section 403.814, Florida Statutes
Regulatory Reference:	Rule 62-660.820, Florida Administrative Code
Activities Covered:	Construction and operation of fish farms producing either native or non-native fish in freshwater. Excludes flow-through systems with surface water discharges, new on-line impoundments, and farms with more than 300 acres of ponds and farms with more than 100,000 pounds production per year which discharge to surface waters more than 30 days per year. Excluded facilities are required to apply for a standard industrial wastewater (IW) permit.
Process:	Permittee prepares and submits notification form. District office reviews form for completeness and eligibility. Permit acknowledged. Permittee reapply in five years.
Fees:	\$100 for 5 year permit

Other Information: This general permit is an alternative to a standard IW permit (specifically, a permit to construct or operate an industrial wastewater facility). The rule includes an exemption from permitting for farms that grow only native fish, have less than 10 acres of ponds, and produce less than 10,000 pounds of fish per year; farms that produce less than 10,000 pounds of fish per year (native or non-native) and do not discharge to surface waters; and fee-fishing operations with less than 1,000 pounds standing crop fish per acre.

4. GENERAL PERMIT FOR MARINE BIVALVE FACILITIES

Issuing Agency: Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400
(904)488-4522 FAX (904)487-3618

Statutory Reference: Section 403.814, Florida Statutes

Regulatory Reference: Rule 62-660.821, Florida Administrative Code

Activities Covered: Construction and operation of upland marine bivalve facilities (hatcheries, nurseries, depuration facilities, and wet storage facilities). Excludes facilities that grow or hold non-native species; discharge more than one million gallons per day; or add supplemental algal cultures to non-hatchery components of the facility and discharge to surface waters. Excluded facilities are required to apply for a standard industrial wastewater (IW) permit.

Process: Permittee prepares and submits notification form. District office reviews form for completeness and eligibility. Permit acknowledged. Permittee reapply in five years.

Fees: \$100 for 5 year permit

Other Information: This general permit is an alternative to a standard IW permit (specifically, a permit to construct or operate an industrial wastewater facility). The rule includes an exemption from IW permitting for non-pumping facilities located in waters of the State on a shellfish or aquaculture lease and facilities which do not discharge to waters of the State.

5. WETLAND RESOURCE PERMIT

Issuing Agency: Department of Environmental Protection
Division of Environmental Resource Permitting
2600 Blair Stone Road
Tallahassee, FL 32399-2400
(904)488-0130

Statutory Reference: Chapter 403 and Part IV of Chapter 373, Florida Statutes

Regulatory Reference: Rule 62-312, Florida Administrative Code

Activities Covered: Dredge and fill activities in waters of the state.

Process: Involved. Generally takes 3-6 months. May require additional expenses above and beyond the required fees.

Fees: \$4000 for projects affecting 10 or more acres
\$500 for projects affecting less than 10 acres

Other Information: This program may be replaced (except in the area of the Northwest Florida Water Management District) by the environmental resource permit program. The proposed program has been challenged in an administrative hearing.

6. ENVIRONMENTAL RESOURCE PERMIT

Issuing Agency: For marine and freshwater aquaculture involving alligators and all freshwater aquaculture in the Florida panhandle:

Department of Environmental Protection
Division of Environmental Resource Permitting
2600 Blair Stone Road
Tallahassee, FL 32399-2400
(904)488-0130

Statutory Reference: Part IV, Chapter 373, Florida Statutes

Regulatory Reference: Rules 62-330, 62-343, Florida Administrative Code

For freshwater aquaculture not involving alligators and not in the Northwest Florida Water Management District area.

Suwannee River Water Management
District (SRWMD)
Route 3, Box 64
Live Oak, Florida 32060-9573
(904)362-1001

Southwest Florida Water Management
District (SWFWMD)
2379 Broad Street
Brooksville, Florida 34609-6899
(904)796-7211

St. Johns River Water Management
District (SJRWMD)
P.O. Box 1429
Palatka, Florida 32178-1429
(904)329-4500

South Florida Water Management District
(SFWMD)
P.O. Box 24680
3301 Gun Club Road
West Palm Beach, Florida 33416-4680
(407)686-8800

Statutory Reference: Part IV, Chapter 373, Florida Statutes

Regulatory Reference: SRWMD: Rules 40B-1, 40B-4, 40B-400, F.A.C.
SJRWMD: Rules 40C-1, 40C-4, 40C-40, 40C-41, F.A.C.
SWFWMD: Rules 40D-1, 40D-4, F.A.C.
SFWMD: Rules 40E-1, 40E-4, 40E-40, 40E-41, F.A.C.

Activities Covered: Regulates activities involving the constitution, alteration, maintenance, removals and abandonment of headgates, valves and measuring devices, dams, impoundments, reservoirs, appurtenances works, or works, including activities in, on, or over surface waters and wetlands.

Process: Generally takes 3-6 months. May require additional expenses above and beyond required application fee.

Fees: Variable

Other Information: Program has been challenged in an administrative hearing.

**7. NOTICED GENERAL PERMIT FOR CLAM AND OYSTER CULTURE
SOVEREIGNTY SUBMERGED LAND/AQUACULTURE LEASES**

Issuing Agency: Department of Environmental Protection
Division of Environmental Resource Permitting
2600 Blair Stone Road
Tallahassee, FL 32399-2400
(904)488-0130

Statutory Reference: Part IV, Chapter 373, Florida Statutes

Regulatory Reference: Pending (62-341.601)

Activities Covered: Allow basic activities involved in the culture of oysters and clams provided applicant has received an aquaculture lease.

Process: Obtain an aquaculture lease.

Fees: \$100 application fee

Other Information: This rule is pending.

8. **NOTICED GENERAL PERMIT FOR LIVE ROCK AQUACULTURE**

Issuing Agency: Department of Environmental Protection
Division of Environmental Resource Permitting
2600 Blair Stone Road
Tallahassee, FL 32399-2400
(904)488-0130

Statutory Reference: Part IV, Chapter 373, Florida Statutes

Regulatory Reference: Pending (Proposed Rule 62-341.604)

Activities Covered: Activities involved in the placement of substrate material and the harvesting (collecting) of "live rock".

Process: Obtain an aquaculture lease.

Fees: \$100

Other Information: This general permit is pending.

9. **NOTICED GENERAL PERMIT FOR THE INSTALLATION AND MAINTENANCE OF INTAKE OR DISCHARGE PIPES ASSOCIATED WITH MARINE BIVALVE FACILITIES**

Issuing Agency: Department of Environmental Protection
Division of Environmental Resource Permitting
2600 Blair Stone Road
Tallahassee, FL 32399-2400
(904)488-0130

Statutory Reference: Part IV, Chapter 373, Florida Statutes

Regulatory Reference: Pending (Proposed Rule 62-341.602)

Activities Covered: The installation and maintenance of intake and/or discharge pipes associated with marine bivalve facilities.

Process: Facility must meet requirements of Rule 62-660.821, Florida Administrative Code, which addresses the construction and operation of marine bivalve facilities.

Fees: \$100

Other Information: The general permit is pending

10. CERTIFICATE OF NURSERY REGISTRATION

Issuing Agency: Department of Agriculture and Consumer Services
Division of Plant Industry, Bureau of Plant and Apiary
Inspection,
P.O. Box 147100
Gainesville, FL 32614-7100
(904)372-3505 FAX (904)336-2301

Statutory Reference: Section 581.145, F.S., Aquatic Plant Nursery Registration

Regulatory Reference:

Activities Covered: A nursery or nursery stock dealer shall not engage in any business involving the importation, transportation, cultivation, collection, sale, or possession of any aquatic plant species unless a certificate of registration has been issued by the Florida Dept. of Agriculture and Consumer Services.

Process: Prior to the sale or distribution of any aquatic plant species, contact Division of Plant Industry to arrange for inspection of nursery site. Following submission of application and appropriate fee, the certificate of nursery registration will be mailed to nurseryman.

Fees: Nursery registration fees are based on plant inventory and range from \$23 to a maximum of \$460.

Other Information: Special permit required to collect, import, transport, cultivate, sell or possess any noxious aquatic plant listed on the prohibited aquatic plant list established by the Florida Dept. of Natural Resources.

11. WATER USE PERMIT

Issuing Agency:	Water Management Districts (5)
	Northwest Florida Water Management District (NFWFMD) Route 1, Box 3100 Havana, Florida 32333-9700 (904)539-5999
	Southwest Florida Water Management District (SWFWMD) 2379 Broad Street Brooksville, Florida 34609-6899 (904)796-7211
	Suwannee River Water Management District (SRWMD) Route 3, Box 64 Live Oak, Florida 32060-9573 (904)362-1001
	South Florida Water Management District (SFWM) P.O. Box 24680 3301 Gun Club Road West Palm Beach, Florida 33416-4680 (407)686-8800
	St. Johns River Water Management District (SJRWM) P.O. Box 1429 Palatka, Florida 32178-1429 (904)329-4500
Statutory Reference:	Chapter 373, Florida Statutes
Regulatory Reference:	Rules 40A-2, 40B-2, 40C-2, 40D-2, 40E-2, Florida Administrative Code
Activities Covered:	Withdrawal or transfer of ground water or surface water.
Process:	Review application. Request additional information as needed. Advertise proposed permit and hold hearing. Issue permit.
Fees:	\$50 and up (depending on quantity of water)
Other Information:	

12. MANAGEMENT AND STORAGE OF SURFACE WATERS

Issuing Agency:	Water Management Districts (5)
	Northwest Florida Water Management District (NFWFMD) Route 1, Box 3100 Havana, Florida 32333-9700 (904)539-5999
	Southwest Florida Water Management District (SWFWMD) 2379 Broad Street Brooksville, Florida 34609-6899 (904)796-7211
	Suwannee River Water Management District (SRWMD) Route 3, Box 64 Live Oak, Florida 32060-9573 (904)362-1001
	South Florida Water Management District (SFWM) P.O. Box 24680 3301 Gun Club Road West Palm Beach, Florida 33416-4680 (407)686-8800
	St. Johns River Water Management District (SJRWM) P.O. Box 1429 Palatka, Florida 32178-1429 (904)329-4500

Statutory Reference: Chapter 373, Florida Statutes

Regulatory Reference: Rules 40A-4, 40B-4, 40C-4, 40D-4, 40E-4, Florida Administrative Code

Activities Covered: Land alteration activities

Process: Review application. Request additional information as needed. Advertise proposed permit and hold hearing. Issue permit.

Fees: \$200 and up (depending on project acreage)

Other Information:

13. WELL CONSTRUCTION

Issuing Agency: Water Management Districts (5)

Northwest Florida Water Management District (NFWFMD)
Route 1, Box 3100
Havana, Florida 32333-9700
(904)539-5999

Southwest Florida Water Management District (SWFWMD)
2379 Broad Street
Brooksville, Florida 34609-6899
(904)796-7211

Suwannee River Water Management District (SRWMD)
Route 3, Box 64
Live Oak, Florida 32060-9573
(904)362-1001

South Florida Water Management District (SFWMD)
P.O. Box 24680
3301 Gun Club Road
West Palm Beach, Florida 33416-4680
(407)686-8800

St. Johns River Water Management District (SJRWMD)
P.O. Box 1429
Palatka, Florida 32178-1429
(904)329-4500

Statutory Reference: Chapter 373, Florida Statutes

Regulatory Reference: Rules 40A-3, 40B-3, 40C-3, 40D-3, 40E-3, Florida Administrative Code

Activities Covered: Well construction permitting

Process: Review application for completeness. Issue well construction permit.

Fees: \$50

Other Information: In some cases this permitting responsibility has been given to county agencies.

14. SPECIAL ACTIVITY LICENSE (SAL)

Issuing Agency: Department of Environmental Protection
Marine Resources
3900 Commonwealth Blvd.
Tallahassee, FL 32399
(904)488-5471 FAX (904)922-6398

Statutory Reference: Section 370.06(4), Florida Statutes

Regulatory Reference: Chapters 46-27, 46.17, Florida Administrative Code

Activities Covered: SAL for the possession of hard clams and oysters below the minimum size by licensed aquaculture.

Process: Upon application the DEP will issue SAL. All SAL terminate on June 30 of each calendar year. Submit application to: Chief, Bureau of Marine Resource Regulation and Development.

Fees: None

Other Information:

15. SPECIAL ACTIVITY LICENSE (SAL)

Issuing Agency: Department of Environmental Protection
Marine Resources
3900 Commonwealth Blvd.
Tallahassee, FL 32399
(904)488-5471 FAX (904)922-6398

Statutory Reference: Chapter 370.06(4), Florida Statutes

Regulatory Reference: Chapter 46-27.021, Florida Administrative Code

Activities Covered: SAL of bag limit and season exemptions

Process: Apply to: Chief, Bureau of Marine Resource Regulation and Development.

Fees: None

Other Information:

16. SPECIAL ACTIVITY LICENSE (SAL)

Issuing Agency: Department of Environmental Protection
Marine Resources
3900 Commonwealth Blvd.
Tallahassee, FL 32399
(904)488-5471 FAX (904)922-6398

Statutory Reference: Chapter 370.06(4), Florida Statutes

Regulatory Reference: Chapter 62R-7.012 Florida Administrative Code

Activities Covered: SAL for relaying oysters and clams to shellfish and aquaculture leases and controlled purification facilities.

Process: Apply to: Chief, Bureau of Marine Resource Regulation and Development.

Fees: None

Other Information:

17. SPECIAL ACTIVITY LICENSE (SAL)

Issuing Agency: Department of Environmental Protection
Marine Resources
3900 Commonwealth Blvd.
Tallahassee, FL 32399
(904)488-5471 FAX (904)922-6398

Statutory Reference: Chapter 370.06(4), Florida Statutes

Regulatory Reference: Chapter 62R-7.018 Florida Administrative Code

Activities Covered: SAL for depuration of oysters and clams in controlled purification facilities.

Process: Apply to: Chief, Bureau of Marine Resource Reg. & Devel.

Fees: None

Other Information:

18. SPECIAL ACTIVITY LICENSE (SAL)

Issuing Agency: Department of Environmental Protection
Marine Resources
3900 Commonwealth Blvd.
Tallahassee, FL 32399
(904)488-5471 FAX (904)922-6398

Statutory Reference: Chapter 370.06(4), Florida Statutes

Regulatory Reference: Chapter 370.16, Florida Statutes

Activities Covered: SAL for use of mechanical harvesting devices.

Process: Apply to: Chief, Bureau of Marine Resource Reg.& Devel.

Fees: None

Other Information:

19. WET STORAGE AGREEMENT

Issuing Agency: Department of Environmental Protection
Marine Resources
3900 Commonwealth Blvd.
Tallahassee, FL 32399
(904)488-5471 FAX (904)922-6398

Statutory Reference: Chapter 370, Florida Statutes

Regulatory Reference: Chapter 62R-7.018 Florida Administrative Code

Activities Covered: Wet storage of oysters and clams in waters of the State.

Process: Apply to: Chief, Bureau of Marine Resource Reg. & Devel.

Fees: None

Other Information: Must have wholesale dealers license.

20. PERMIT FOR COLLECTION AND POSSESSION OF SALTWATER ANIMALS

Issuing Agency: Department of Environmental Protection
Marine Resources
3900 Commonwealth Blvd.
Tallahassee, FL 32399
(904)488-6058

Statutory Reference: Chapter 370, Florida Statutes

Regulatory Reference: Chapter 16R-3 Florida Administrative Code

Activities Covered: Permit provides for the collection, possession and disposition of indigenous saltwater animals for experimental, scientific, educational or exhibitional purposes.

Process: Apply to Director Division of Marine Resources

Fees: None

Other Information:

21. PRIVATE EASEMENT

Issuing Agency: Department of Environmental Protection
Division of State Lands, Mail Station 125
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000
(904)488-2297 FAX (904)488-3379

Statutory Reference: Chapter 253, Florida Statutes

Regulatory Reference: Chapter 18-21, Florida Administrative Code

Activities Covered: Intake/discharge structures; dredge; fill occurring on state-owned submerged lands.

Process: Submit an application to the local Florida Department of Environmental Protection Office.

Fees: \$200 non-refundable processing fee.

Other Information:

22. AQUACULTURE LEASE

Issuing Agency: **Department of Environmental Protection
Division of Marine Resources
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000
(904)488-2291 FAX (904)488-3379**

The Division of Marine Resources has delegated authority to 1) review lease applications, and 2) approve the conversion of shellfish leases issued under Chapter 370, Florida Statutes, to aquaculture leases under Chapter 253, Florida Statutes. All other aquaculture leases are issued by the Board of Trustees of the Internal Improvement Trust Fund/Governor and Cabinet (Trustees).

Statutory Reference: **Chapters 253 and 258, Florida Statutes**

Regulatory Reference: **Chapter 18-21, Florida Administrative Code**

Activities Covered: **Aquaculture activities below the mean/ordinary high water line on sovereignty, submerged lands.**

Process: **Review application. Complete a site assessment. Evaluate site assessment report for compatibility with Florida Statutes and Department rules. Advertise proposed lease, notify local Board of County Commissioners (BCC). If BCC files resolution of objection, lease is automatically denied by law. Hold public hearing only if substantial public objections are received. Draft agenda item for approval of lease by Trustees. Formalize lease contract and transmit to lessee. Lessee returns executed lease contract with a survey and annual lease fee. Review survey. Return original lease to lessee.**

Apply to:

**Bureau of Marine Resources Regulation and Development
Department of Environmental Protection
Division of State Lands
Mail Station 205
3900 Commonwealth Blvd.
Tallahassee, FL 32399
(904)488-5471 FAX (904)922-6398**

Fees: \$200 application processing fee. Upon approval of lease, leasee pays \$15/per acre, per year and a \$5 surcharge per acre per year, plus sales tax (@ .06 per \$).

Other Information: Fees for experimental aquaculture leases for public and nonprofit research institutions can be waived by Trustees. Since the management of the sovereignty lands is a proprietary duty in lieu of a regulatory function in Florida, no permits are issued by Trustees/Division of State lands.

23. AQUACULTURE GAME FISH LICENSE

Issuing Agency: Game and Fresh Water Fish Commission
Bureau of Accounting and Budgeting and Division of Fisheries
620 South Meridian Street
Tallahassee, FL 32399-1600
(904)488-4066 FAX (904)488-6988

Statutory Reference: Chapter 372.65, Florida Statutes

Regulatory Reference: Rule 39-23.0091, Florida Administrative Code

Activities Covered: Sale of freshwater game fish by aquaculturists

Process: Submit application to Bureau of Accounting; completeness review; site inspection by Division of Fisheries (only game fish cultured in private ponds qualify); final documents sent to the Division of Fisheries; license issued or denied.

Fees: \$25

Other Information: Private pond is defined as any man-made body of water that is located entirely within the property of the owner of the water body and has no surface water connection to public waters.

24. GAME FISH AQUACULTURE PROCESSING PERMIT

Issuing Agency: Game and Fresh Water Fish Commission
Division of Fisheries
620 South Meridian Street
Tallahassee, FL 32399-1600
(904)488-4066 FAX (904)488-6988

Statutory Reference: Chapter 372.65, Florida Statutes

Regulatory Reference: Rule 39-23.0092, Florida Administrative Code

Activities Covered: Processing of freshwater game fish produced by aquaculturists

Process: Submit application to Division of Fisheries (only game fish cultured in private ponds qualify); completeness review; permit issued or denied.

Fees: None

Other Information: Permittees may use tamper proof packages as well as tags to mark game fish, which are to be sold as food; retail establishments such as restaurants, fish markets, and grocery stores are not eligible for game fish aquaculture processing permits.

25. FRESHWATER FISH DEALER'S LICENSE

Issuing Agency: Game and Fresh Water Fish Commission
Bureau of Accounting and Budgeting
620 South Meridian Street
Tallahassee, FL 32399-1600
(904)488-4066 FAX (904)488-6988

Statutory Reference: Chapter 372.65, Florida Statutes

Regulatory Reference:

Activities Covered: Sale of freshwater fish or frogs

Process: Submit application to Bureau of Accounting and Budgeting; completeness review; license issued or denied

Fees: \$40, valid for one year from issue date; non-resident retail fish dealer license fee - \$100; non-resident wholesale fish dealer license fee - \$500; non-resident wholesale fish buyer license (permits a non-resident who does not sell freshwater fish or frogs in Florida to buy them from resident fish dealers for resale outside the state - \$50).

Other Information:

26. PRIVATE FISH POND LICENSE

Issuing Agency:	Game and Fresh Water Fish Commission Bureau of Accounting and Budgeting Division of Fisheries 620 South Meridian Street Tallahassee, FL 32399-1600 (904)488-4066 FAX (904)488-6988
Statutory Reference:	Chapter 372.5705, Florida Statutes
Regulatory Reference:	
Activities Covered:	Exempts fishermen fishing in a private fish pond of more than 20 acres (8.1 hectares) from having to have a sport fishing license.
Process:	Submit application to Bureau of Accounting and Budgeting; completeness review; site inspection by Division of Fisheries; final documents sent to Bureau of Accounting and Budgeting; license issued or denied.
Fees:	\$3 per surface acre of pond
Other Information:	Private fish pond is defined as a body of water that does not occur naturally and that has been constructed and is maintained primarily for the purpose of fishing.

27. NON-RESTRICTED FISH IMPORTATION PERMIT

Issuing Agency:	Game and Fresh Water Fish Commission Division of Fisheries 620 South Meridian Street Tallahassee, FL 32399-1600 (904)488-4066 FAX (904)488-6988
Statutory Reference:	Chapter 372.26. Florida Statutes
Regulatory Reference:	Rule 39-23.008, Florida Administrative Code
Activities Covered:	Importation of non-restricted freshwater fish
Process:	Submit application to Division of Fisheries; site inspection by Division of Fisheries/Law Enforcement, if applicable; final documents sent to the Division of Fisheries; permit issued or denied.

Fees:	None
Other Information:	Inspection may be made of facilities wherein foreign or non-indigenous species of freshwater fish are propagated for any commercial purpose so as to determine that such species or their eggs are not allowed to escape into the waters of the state; because of detailed restrictions on importing freshwater fish, those wishing to do so should familiarize themselves with Rule 39-23.008, Florida Administrative Code; sale of freshwater fish also requires purchase of a freshwater fish dealer's license.
28. IMPORTATION AND POSSESSION OF RESTRICTED FISH	
Issuing Agency:	Game and Fresh Water Fish Commission Division of Fisheries 620 South Meridian Street Tallahassee, FL 32399-1600 (904)488-4066 FAX (904)488-6988
Statutory Reference:	Chapter 372.26. Florida Statutes
Regulatory Reference:	Rule 39-23.008, Florida Administrative Code
Activities Covered:	Importation and possession of restricted aquatic life
Process:	Submit application to Division of Fisheries; site inspection by Division of Fisheries; permit issued or denied.
Fees:	None
Other Information:	Sale of restricted freshwater aquatic life also requires purchase of freshwater fish dealer's license; there are specific indoor and outdoor security restrictions pertaining to importation and possession of restricted fishes; these restrictions may vary depending on species; applicants should familiarize themselves with these restrictions when requesting a permit; several application packages have been developed for commonly requested species such as tilapia and grass carp to assist applicants in the permitting process.

29. ALLIGATOR TRAPPING LICENSE/ALLIGATOR TRAPPING AGENT'S LICENSE

Issuing Agency: Game and Fresh Water Fish Commission
Division of Law Enforcement
620 South Meridian Street
Tallahassee, FL 32399-1600
(904)488-6253 FAX (904)488-6988

Statutory Reference: 372.6673 and 372.6674, Florida Statutes

Regulatory Reference: Rule 39-25.042, Florida Administrative Code

Activities Covered: Taking of alligators, sale, possession, and processing of alligators, alligators hides and meat.

Process: Submit application to Bureau of Accounting and Budgeting; completeness review; license issued or denied.

Fees: Florida resident - \$250; non-resident - \$1,000; alligator trapping agent acting on behalf of a resident or non-resident licensee - \$50; hide validation tag for each alligator taken from the wild or possessed - \$30.

Other Information: Alligator trapping licenses are issued only in conjunction with alligator farming licenses; licenses are not transferable; they authorize the taking and possession of alligators, but not the taking of hatchlings of alligator eggs; the hides of alligators taken from the wild and possessed must be validated and an official GFC-issued alligator hide validation tag attached to the hide; validated alligator hides may be sold only to licensed fur and hide dealers; possession of alligators also is authorized by alligator farming and processing licenses; taking and possession of alligator eggs and hatchlings are authorized by alligator farming licenses.

30. ALLIGATOR FARMING LICENSE/ALLIGATOR FARMING AGENT'S LICENSE

Issuing Agency: Game and Fresh Water Fish Commission
Bureau of Accounting and Budgeting
620 South Meridian Street
Tallahassee, FL 32399-1600
(904)488-6253 FAX (904)488-6988

Statutory Reference: 372.6673, Florida Statutes

Regulatory Reference: Rule 39-25.004, Florida Administrative Code

Activities Covered: Farming of alligators

Process: Submit application to Bureau of Accounting and Budgeting; completeness review; site inspection by Division of Wildlife and/or Division of Law Enforcement; license issued or denied.

Fees: Alligator farming license - \$250; alligator farming agent license - \$50.

Other Information: Alligator farming agent licenses are issued only in conjunction with alligator farming licenses.

31. ALLIGATOR PROCESSOR'S LICENSE

Issuing Agency: Game and Fresh Water Fish Commission
Bureau of Accounting and Budgeting
620 South Meridian Street
Tallahassee, FL 32399-1600
(904)488-6253 FAX (904)488-6988

Statutory Reference: 372.6673, Florida Statutes

Regulatory Reference: 39-25.052, Florida Administrative Code

Activities Covered: Purchase and processing of alligator products.

Process: Submit application to Bureau of Accounting and Budgeting; completeness review; site inspection by Division of Wildlife and/or Division of Law Enforcement; License issued or denied.

Fees: \$250

Other Information: An alligator processor's license permits a person to buy and process alligators lawfully taken by alligator trapping license holders and taken or possessed by alligator farming license holders and to sell alligator meat, hides, and other parts; persons involved with processing alligator meat for human consumption must meet the health and sanitation permitting requirements of the Department of Agriculture.

32. PERMIT TO ESTABLISH AND OPERATE AN ALLIGATOR FARM

Issuing Agency: Game and Fresh Water Fish Commission
Division of Law Enforcement
620 South Meridian Street
Tallahassee, FL 32399-1600
(904)488-6253 FAX (904)488-6988

Statutory Reference: 372.6673, Florida Statutes

Regulatory Reference: Rule 39-25.004, Florida Administrative Code

Activities Covered: Establishment and operation of an alligator farm

Process: Submit application to Division of Law Enforcement;
Completeness review; Site inspection by Division of Wildlife
and/or Division of Law Enforcement; license issued or
denied.

Fees: None

Other Information: Issued in conjunction with alligator farming license

33. PERMIT FOR ALLIGATOR FARMS ELIGIBLE TO RECEIVE EGGS AND HATCHLINGS FROM THE WILD

Issuing Agency: Game and Fresh Water Fish Commission
Division of Law Enforcement
620 South Meridian Street
Tallahassee, FL 32399-1600
(904)488-6253 FAX (904)488-6988

Statutory Reference: 372.6673, Florida Statutes

Regulatory Reference: Rule 39-25.004 and 39-25.031, Florida Administrative Code

Activities Covered: Taking of alligator eggs and hatchlings from the wild

Process: Submit application to Division of Law Enforcement;
completeness review; site inspection by Division of Law
Enforcement; license issued or denied.

Fees: No permit fee; fee for GFC-issued hatchling tag - \$15; fee
for GFC-issued egg permit - \$5.

Other Information: A maximum of 30 permits will be issued on a first-come first-served basis; applicants wishing to be maintained on a waiting list to be permitted as an "eligible" farm must apply between December 1 and 31 each year; as permit vacancies become available, the Executive Director may issue additional permits between January 1 and June 1 to qualified applicants; specific locales are designated as hatchling collection areas; each area has a quota; permittees must identify preferred areas and number of hatchlings desired and apply between June 1 and June 15 each year; permittees are assigned areas based on random drawings at least once every three years; permittees wishing to collect eggs must identify by April 1 of each year one of two groups and will be assigned egg collection areas based on the proportion of farms participating in the collection group.

34. PERMIT TO HARVEST ALLIGATORS ON FARMS

Issuing Agency: Game and Fresh Water Fish Commission
Division of Law Enforcement
620 South Meridian Street
Tallahassee, FL 32399-1600
(904)488-6253 FAX (904)488-6988

Statutory Reference: 372.6674, Florida Statutes

Regulatory Reference: Rule 39-25.005, Florida Administrative Code

Activities Covered: Killing and skinning of alligators on alligator farms

Process: Submit application to Division of Law Enforcement; completeness review; site inspection by Division of Law Enforcement; verification of alligator origin; license issued or denied.

Fees: None

Other Information: This permit is in conjunction with the alligator farm permit; skinning can occur only at designated sites, and all hides must be tagged by official GFC tags; tags must remain attached until hides are manufactured into finished products.

35. PERMIT TO TRANSPORT LIVE ALLIGATORS OR ALLIGATOR EGGS

Issuing Agency: Game and Fresh Water Fish Commission
Division of Law Enforcement
620 South Meridian Street
Tallahassee, FL 32399-1600
(904)488-6253 FAX (904)488-6988

Statutory Reference:

Regulatory Reference: Rule 39-25.004, 39-25.002, and 39-25.021, Florida Administrative Code

Activities Covered: Transportation and receipt of alligator eggs

Process: Submit application to Division of Law Enforcement; completeness review; license issued or denied.

Fees: None

Other Information: Transportation permits are required to transport live alligators, eggs, or hatchlings.

36. ALLIGATOR PROCESSING FACILITY PERMIT

Issuing Agency: Game and Fresh Water Fish Commission
Division of Law Enforcement
620 South Meridian Street
Tallahassee, FL 32399-1600
(904)488-6253 FAX (904)488-6988

Statutory Reference: 3472.6673, Florida Statutes

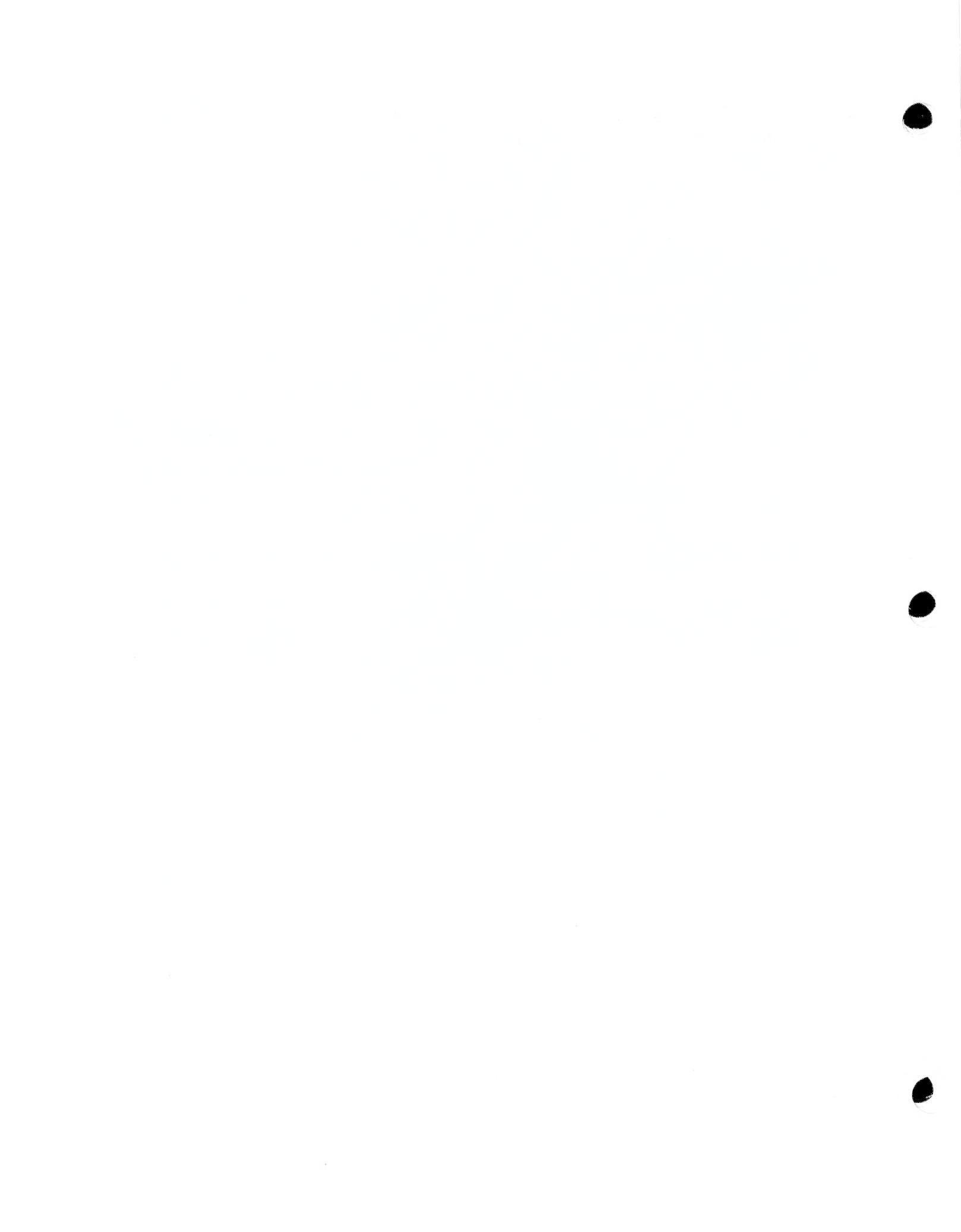
Regulatory Reference: Rule 39-25.052, Florida Administrative Code

Activities Covered: Issued to facilities where alligators are possessed for skinning, butchering and meat packaging.

Process: Submit application to Division of Law Enforcement; completeness review, including proof of compliance with state and local health regulations; license issued or denied.

Fees: None

Other Information: Issued in conjunction with an alligator farming license, alligator trapping license, or alligator processor's license.



GEORGIA

1. AGRICULTURAL WATER USE PERMIT

Issuing Agency: Environmental Protection Division
Water Resources Management Branch
Suite 1156, East Tower
205 Butler Street, SE
Atlanta, GA 30334
(404)656-3094

Statutory Reference:

Regulatory Reference: Rules and regulations for water quality control, Chapter 391-3-6-.07

Activities Covered: Required of all ground and surface water withdrawals of 100,000 gallons or more daily on a monthly average. These permits have no expiration date, require no reporting of water use, may be transferred to subsequent landowners upon notification of EPD and will not be revoked for nonuse.

Process:

Fees: None

Other Information: An application form for the Surface Water Withdrawal permit may be obtained from the County Extension Agent, who will forward the application to the Environmental Protection Division.

2. AQUACULTURE REGISTRATION

Issuing Agency: Wildlife Resources Division, Aquaculture Program
2123 U.S. Highway 278 SE
Social Circle, GA 30279
(404)918-6418

Statutory Reference: O.C.G.A. §27-4-255 through 27-4-262

Regulatory Reference: Chapter 391-4-14, Aquaculture

Activities Covered: Aquaculturists producing and selling or re-selling domestic fish must register with the Department of Natural Resources, or purchase the appropriate fish hatchery or fish dealer license. "Domestic fish" are lawfully obtained farmed fish which are held in confinement in private ponds, but only if they are fish species which are either indigenous to Georgia or are fish species which have been recognized prior to 1992 as having an established population in Georgia waters other than private ponds. White perch (Morone americana) can not be a domestic fish. A commercial fish hatchery license, wholesale fish dealers license, or retail fish dealers license are not needed to sell domestic fish if the seller has registered as an aquaculturist. Persons in possession of domestic fish from registered aquaculturists must have a dated bill of sale or lading identifying the seller and which details two of the following three criteria for each species of fish; number, weight, or average length. Grocery stores do not have to register to sell domestic fish.

Aquaculture registration certificates expire on April 1 following two years of registration. Information provided for registration must be updated if there are any changes during the registration period. Registration certificates must be displayed in a prominent location at the place of business, and a copy must be in possession of the owner or his agents when conducting business off the premises.

Process:

Fees: None

Other Information:

3. CATCH - OUT POND LICENSE

Issuing Agency: Wildlife Resources Division
License Unit
2189 Northlake Parkway
Building 10, Suite 108
Tucker, GA 30084
(404)493-5770

Statutory Reference: O.C.G.A. § 27-4-31

Regulatory Reference:

Activities Covered: This license is not required. However, without this license persons fishing in the catch-out pond must purchase a state fishing license or trout stamp, and comply with state creel limits, possession limits, size limits, or seasons if the owner has stocked fish other than farm raised domestic fish.

Process:

Fees: \$236

Other Information:

4. COMMERCIAL FISHING LICENSE AND COMMERCIAL FISHING BOAT LICENSE

Issuing Agency: Wildlife Resources Division
License Unit
2189 Northlake Parkway
Building 10, Suite 108
Tucker, GA 30084
(404)493-5770

Statutory Reference: O.C.G.A. § 27-4-90, 27-4-110, 27-2-8 and 27-4-118

Regulatory Reference:

Activities Covered: Each person engaged in commercial fishing in the state's salt waters must obtain a Commercial Fishing License. In addition, a Commercial Fishing Boat License is required if a boat is used. Specific records must be maintained for all species sold for human consumption.

Process:

Fees: Commercial Fishing License - \$10 resident, \$100.25 nonresident. Commercial Fishing Boat License - \$50 plus \$3/per foot Over 18 feet, nonresident add \$25.

Other Information:

5. COMMERCIAL FISH HATCHERY LICENSE

Issuing Agency: Wildlife Resources Division
License Unit
2189 Northlake Parkway
Building 10, Suite 108
Tucker, GA 30084
(404)493-5770

Statutory Reference: O.C.G.A. § 27-4-75

Regulatory Reference:

Activities Covered: This license is needed for any facility with two or more ponds or a raceway system producing fish for sale more than once annually. This license is not needed for hatcheries raising only domestic fish if the owner has an aquaculture registration. Fish sold from licensed facilities must be accompanied by a dated bill of sale or lading identifying the seller and which details two of the following three criteria for each species of fish: number, weight, or average length. Licensed hatcheries may sell legally obtained game fish.

Process:

Fees: \$56

Other Information:

6. FISH DEALERS LICENSES

Issuing Agency: Wildlife Resources Division
License Unit
2189 Northlake Parkway
Building 10, Suite 108
Tucker, GA 30084
(404)493-5770

Statutory Reference: O.C.G.A. § 27-4-76

Regulatory Reference:

Activities Covered: A wholesale or retail fish dealers license is needed to sell live fish or fish eggs. Exceptions include persons with a commercial fish hatchery license, persons selling fish for use in aquaria, and registered aquaculturists selling only domestic fish. A wholesale license is needed for persons selling fish to others for the purpose of resale, and for those persons importing live fish or eggs into the state. A retail license is needed in other instances. Non-resident persons may sell and import live fish and eggs into the state without purchasing a license if they sell to a licensed wholesale fish dealer.

Process:

Fees: Wholesale - \$56; Retail - \$10

Other Information:

7. 404 AND SECTION 10 PERMITS

Issuing Agency: U.S. Army Corps of Engineers
Savannah District Office
P.O. Box 889
Savannah, GA 31402-0889
(912)974-5347

Statutory Reference: Section 404 of the Clean Water Act (Federal)
Section 10 of the Rivers and Harbors Act of 1899 (Federal)

Regulatory Reference:

Activities Covered: Prospective aquaculturists whose operation will involve locating a structure in navigable waters must first obtain a Section 10 permit. If the activity involves the discharge of dredge or fill materials into waters of the United States (includes wetlands and tributaries to navigable waters), a 404 permit is required. If the activity involves both, the applicant needs to apply for a joint permit.

Process:

Fees: \$100

Other Information:

8. MASTER COLLECTING PERMIT

Issuing Agency: Coastal Resources Division
One Conservation Way
Brunswick, GA 31523
(912)974-5347

Statutory Reference: O.C.G.A. § 27-4-190 and 27-4-198

Regulatory Reference:

Activities Covered: This free permit and a commercial fishing license must be obtained by persons taking oysters or clams for commercial purposes. The permittee must report to DNR the volume and location of oysters and clams harvested the previous season. Master collecting permits will only be issued to persons who have the exclusive right to harvest oysters or clams, or to lessees of such persons. State owned property may be leased for shellfish harvesting.

Process:

Fees: None

Other Information:

**9. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
PERMIT**

Issuing Agency: Environmental Protection Division,
Water Protection Branch
Suite 1058, East Tower
205 Butler Street, SE
Atlanta, GA 30334
(404)656-4887

Statutory Reference:

Regulatory Reference: Rules and Regulations for Water Quality Control
Chapter 391-3-6-.06

Activities Covered: Any person discharging or proposing to discharge at least 30 days per year from a hatchery, fish farm, or other facility into waters of the state may need an NPDES Permit. Cold water facilities which produce less than 9,090 kilograms (approximately 20,000 pounds) of aquatic animals per year and feed less than 2,272 kilograms (approximately 5,000 pounds) of food during the calendar month of maximum feeding do not need a NPDES permit. Warm water facilities which produce less than 45,454 harvest weight kilograms (approximately 100,000 pounds) of aquatic animals per year, or are composed of closed ponds which discharge only during periods of excess runoff, do not need an NPDES Permit.

Process:

Fees: None

Other Information:

10. STATE WATER QUALITY CERTIFICATION

Issuing Agency: Environmental Protection Division
Water Protection Branch
Suite 1058, East Tower
205 Butler Street, SE
Atlanta, GA 30334
(404)656-4887

Statutory Reference: Section 401 of the Federal Water Pollution Control Act Amendments of 1972 (Federal)

Regulatory Reference:

Activities Covered: Required before the Corps of Engineers will take final action on a Section 10 or 404 permit. A copy of the application for a Section 10 or 404 permit will automatically be sent by the Corps to the Georgia Environmental Protection Division for State Water Quality Certification.

Process:

Fees: None

Other Information:

11. TROUT WATERS - APPROVAL TO IMPOUND OR DISCHARGE

Issuing Agency: Environmental Protection Division
Water Protection Branch
Suite 1058, East Tower
205 Butler Street, SE
Atlanta, GA 30334
(404)656-4887

Statutory Reference:

Regulatory Reference: Rules and Regulations for Water Quality Control
Chapter 391-3-6-.03 (14)

Activities Covered: No person may construct an impoundment on Primary or Secondary Trout Waters without approval of the Environmental Protection Division. The natural temperatures of streams designated as Primary Trout Waters may not be elevated, and the temperature elevation in Secondary Trout Waters is limited to 2 degrees Fahrenheit or less.

Process:

Fees: None

Other Information:

12. VARIANCE FOR LAND DISTURBING ACTIVITIES

Issuing Agency: Environmental Protection Division
Land Reclamation and Sedimentation Control Program
3420 Norman Berry Drive
Hapeville, GA 30354
(404)493-5770

Statutory Reference: O.C.G.A. § 12-7-6

Regulatory Reference:

Activities Covered: Land distributing activities may not be conducted within 100 feet horizontal of the banks of any state waters classified as "trout streams" or within 25 feet of non-trout waters unless a variance for such activity is granted by the director of EPD.

Process:

Fees: **None**

Other Information:

13. WILD ANIMAL LICENSE

Issuing Agency: Wildlife Resources Division
Permit Office
Game Management Section
2070 U.S. Highway 278 SE
Social Circle, GA 30279
(404)918-6404

Statutory Reference: O.C.G.A. § 27-5-3 through 27-5-5

Regulatory Reference:

Activities Covered: This license is required to possess, import, transport, transfer, sell or purchase any wild animal including exotic fish species. No license is needed for some types of exotic fish if they are held in containers for holding fish from which no water is discharged, except during periodic cleaning, and which discharged water is passed through a filtering system capable of removing all fish and fish eggs and is disposed of only in a septic tank permitted by the county or in a waste water treatment system permitted by the Environmental Protection Division. Exotic fish are all fish species not native to Georgia. However, rainbow trout, brown trout, common carp, goldfish, and fathead minnow are examples of non-native fish that are not considered exotic fish. Licenses are individually conditioned to ensure that the requirements of the Game and Fish Code are met.

A wild animal license is always needed to possess banded tetra (Astyanax faciatus); piranhas (all species including the Genera Serrasalmus, Serrasalmo, Pygocentrus, Taddyella, Rooseveltiella, and Pygopristis); grass carp (Ctenopharyngodon idella, see exception below); silver carp (Hypophthal-michthys molitrix); bighead carp (Aristichthys nobilis); air-breathing catfishes (all species of the Family Clariidae); parasitic catfishes (all species of the Genera Vandellia (candiru) and Urinophilus); giant walking catfishes (all species of the Genus Heteropneustes); snakeheads (all species of the Genera Ophicephalus and Channa); and fresh water stingray (all species of the Family Potamotrygonidae). No permit is required for private pond owners to stock triploid grass carp if the carp are bought from Georgia licensed wild animal dealers and the pond owner retains the bill of sale.

Process:

Fees: **\$236**

Other Information:

NOTE: FOR GENERAL INFORMATION ON AQUACULTURE REGULATIONS, CONTACT THE WILDLIFE RESOURCES DIVISION, AQUACULTURE PROGRAM, 2123 U.S. HIGHWAY 278 SE, SOCIAL CIRCLE, GEORGIA 30229, (404)918-6418.

GUAM

1. EXCAVATION PERMIT

Issuing Agency: Department of Public Works
542 N. Marine Drive
Tamuning, GU 96911
(671)646-3188 FAX(671)649-6178

Statutory Reference: Chapter I-A, Title XXII GCA

Regulatory Reference: Public Law No. 15-100

Activities Covered: Construction of earthen ponds

Process: An application form for clearing and grading is submitted to the Department of Public Works along with drawings indicating the current situation and the proposed excavation; must submit written Notice of Intent to Excavate to Public Utility Agency of Guam (PUAG).

Fees: Fees are calculated from two options: total cubic yardage excavated; cost of excavation. Fee determined from option that gives the highest fee based on a sliding fee schedule.

Other Information:

2. PLAN REVIEW AND BUILDING PERMIT

Issuing Agency: Department of Public Works
542 N. Marine Drive
Tamuning, GU 96911
(671)646-3188 FAX(671)649-6178

Statutory Reference: Title XXXII GCA - Building Law

Regulatory Reference: DPW-Standards, UBC, UPC, NEC

Activities Covered: Construction of structures (storage sheds, living quarters, water storage tanks and concrete wall ponds) and zoning cost and review of plans.

Process: Submit a detailed draftman's drawing of the proposed facility. Obtain application from Public Works. Submit plans for project.

Fees: Varies according to construction value of structure;
Department of Public Works will inform of assessed fee;
Additional inspection fees may also be assessed.

Other Information:

3. SEWER CONNECTION OR SEPTIC TANK CONSTRUCTION

Issuing Agency: Environmental Protection Agency
D-107 IT and E Plaza
130 Rojas Street
Harmon, GU 96911
(671)646-8863 FAX (671)646-9402

Statutory Reference: Chapter 48, Title X GCA

Regulatory Reference: Individual Wastewater Systems Regulations, GEPA 1984

Activities Covered: Construction of new structures (single, multi-dwelling and commercial buildings); additional extensions and demolition of existing structures.

Process: Obtain application from the Department of Public Works

Fees: None

Other Information:

4. IMPORTATION OF LIVE AQUATIC ANIMALS AND PLANTS

Issuing Agency: Department of Agriculture
P.O. Box 2950
Agana, GU 96910
(671)734-3944 FAX(671)734-6570

Statutory Reference: Section 12323, Government Code of Guam

Regulatory Reference: 5 GCA 6312A

Activities Covered: Aquatic animals from the U.S. must be accompanied by an import permit while those from a foreign country require a certificate of origin. In addition, the animals must be accompanied by a certificate of health from a certified agent in the country of origin verifying that the animals are disease free; penaeid shrimp must be verified to be pathogen free.

Process: Obtain forms from Department of Agriculture following guidelines.

Fees: \$1 (import permit)

Other Information: Scientific and common names of animals must be listed on application.

5. CLEARING AND GRADING PERMIT

Issuing Agency: Environmental Protection Agency
D-107 IT and E Plaza
130 Rojas Street
Harmon, GU 96911
(671)646-8863 FAX (671)646-9402

Statutory Reference: Chapter 47, Title X of GCA, Part 2

Regulatory Reference: Guam Soil Erosion and Sedimentation Control Rules and Regulations

Activities Covered: Site clearing, backfilling and excavation; any activity regarding moving or removal of dirt.

Process: Reviewed and approved by GEPA for compliance with the Guam Soil Erosion and Sediment Control Rules and Regulations; application form available at DPW. Submit Environmental Protection/Erosion Control Plan for review and approval by GEPA.

Fees: None

Other Information:

6. WELL DRILLING AND WELL OPERATING PERMIT

Issuing Agency: Environmental Protection Agency
D-107 IT and E Plaza
130 Rojas Street
Harmon, GU 96911
(671)646-8863 FAX (671)646-9402

Statutory Reference: Chapter 46, Title X of GCA

Regulatory Reference: Water Resource Development and Operating Regulations 1985

Activities Covered:	Proposed site, construction methods, desired operation conditions; Operating permit requires actual construction plans and operating details.
Process:	Obtain application form from GEPA.
Fees:	\$250 per well.
Other Information:	Falls under the Rules and Protection, Development and Conservation of Water Resources in the Territory of Guam.
7. <u>DISCHARGE OF STORM WATER THROUGH INJECTION WELL</u>	
Issuing Agency:	Environmental Protection Agency D-107 IT and E Plaza 130 Rojas Street Harmon, GU 96911 (671)646-8863 FAX (671)646-9402
Statutory Reference:	Chapter 53, Title X of GCA
Regulatory Reference:	Underground Injection Control Regulations (UIC)
Activities Covered:	Storm water runoff (Class V UIC).
Process:	Pick up application at GEPA.
Fees:	None
Other Information:	
8. <u>WATER QUALITY CERTIFICATE PERMIT 401</u>	
Issuing Agency:	Environmental Protection Agency D-107 IT and E Plaza 130 Rojas Street Harmon, GU 96911 (671)646-8863 FAX(671)646-9402
Statutory Reference:	Clean Water Act (1977)
Regulatory Reference:	Public Law 95-217

Activities Covered: Guam 401 Certification covers any activity including, but not limited to the construction or operation of facilities which may result in any discharges; covers any activity requiring approval under Federal Clean Water Act 1977.

Process: Requires compliance with all water quality standards.

Fees: None

Other Information: Well drilling and well operating permit is required from GEPA. GEPA must review other permits (i.e. clearing and grading - Public Works)

9. DISCHARGE OR PLACEMENT OF ALL FILL AND/OR DREDGED MATERIAL INTO TIDAL AND NONTIDAL WATERS AND ADJACENT WETLANDS

Issuing Agency: U.S. Army Corps of Engineers
238 Archbishop Flores Street, Room 905
Agana, GU 96910
(671)344-5203 FAX(671)344-6181

Statutory Reference: Section 404 Clean Water Act 1972

Regulatory Reference:

Activities Covered: Discharge of dredged or fill material into all waters and wetlands.

Process: Listing of the status of all other federal or local government permits and clearances are required for the project.

Fees: \$10 for non-commercial activity; \$100 for commercial or industrial activity.

Other Information:

10. WETLAND PERMIT

Issuing Agency: Department of Land Management
P.O. Box 2950
Agana, GU 96910
(671)475-5263 FAX(671)477-0883

Statutory Reference: Executive order 78-21 ADD. 90-13. 91-27

Regulatory Reference: Territorial Land Comm. Title 18 and 19

Activities Covered:	In order to get this permit you must acquire permits from other agencies that have verified that the land is appropriate for use.
Process:	Pick up application form Department of Land Management; take permit from GEPA, Department of Public Works, Historical Preservation office, U.S Army Corps of Engineers, Territorial Land Use Commission..
Fees:	\$15 for Application; \$34.24 for Public Agenda fee.
Other Information:	Public hearings involved; Territorial Land Use Commission issues permit.
11. <u>TRANSPORTATION OF DREDGED MATERIAL DUMPED INTO OCEAN WATERS</u>	
Issuing Agency:	U.S. Army Corps of Engineers 238 Archbishop Flores Street Room 905 Agana, GU 96910 (671)344-5203 FAX(671)344-6181
Statutory Reference:	Section 103 Marine Protection Research and Sanctuaries Act of 1972
Regulatory Reference:	
Activities Covered:	Transportation of dredged material dumped into ocean waters.
Process:	A listing of the status of all other federal or local government permits and clearances are required for the project.
Fees:	\$10 for non-commercial activity; \$100 for a commercial or industrial activity.
Other Information:	

12. **U.S. ARMY CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY (DA)
PERMIT**

Issuing Agency: U.S. Army Corps of Engineers
238 Archbishop Flores Street
Room 905
Agana, GU 96910
(671)344-5203 FAX(671)344-6181

Statutory Reference: Section 10, River and Harbor Act of 1899
Section 404, Clean Water Act
Section 103, Marine, Protection, Research and Sanctuaries
Act

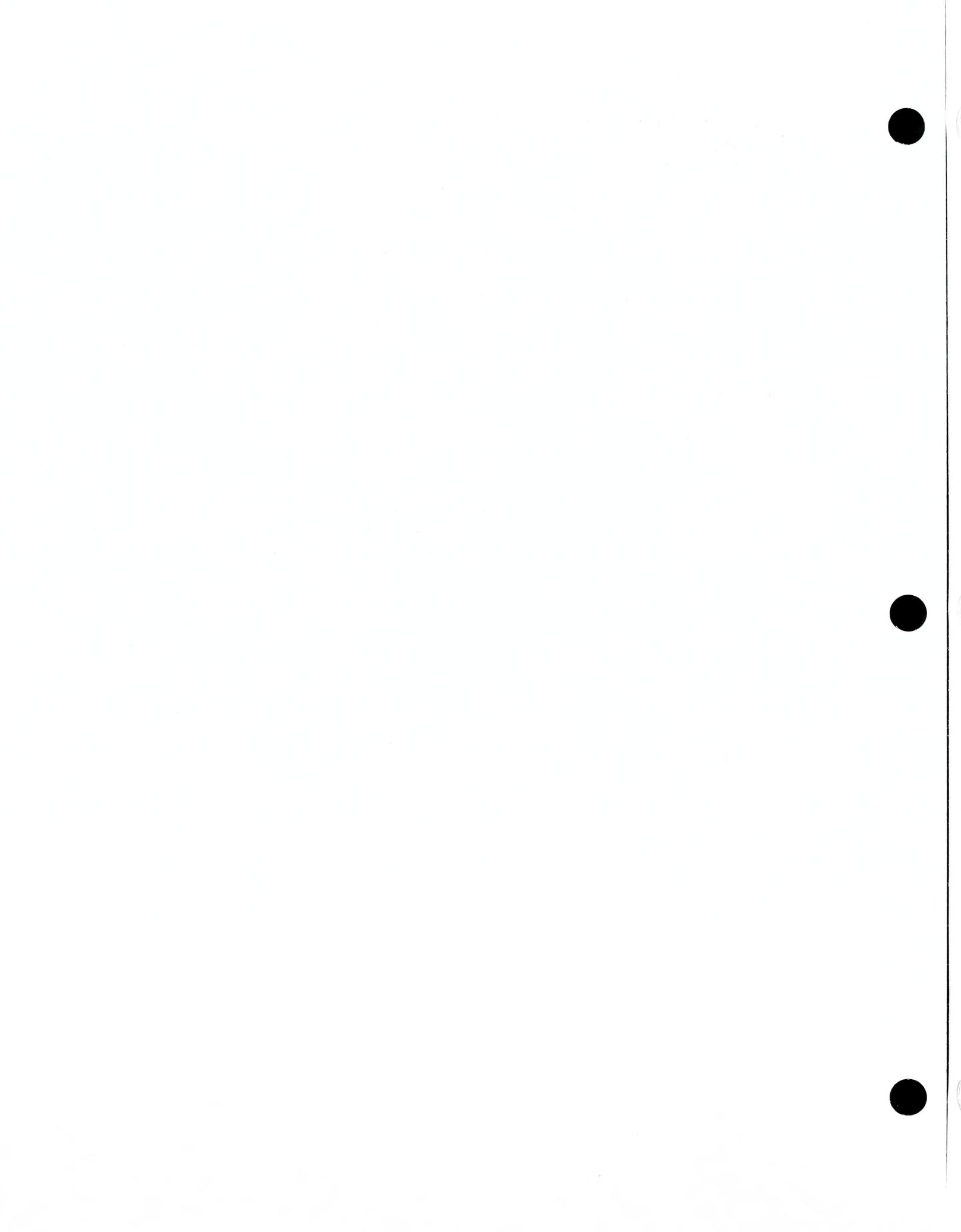
Regulatory Reference:

Activities Covered: Construction of boat ramps, seawalls or other similar structures and artificial reefs; Placement of floats, piers or mooring buoys in tide waters; Discharging sand, gravel or other fill materials into all waters and wetlands; Filling of wetlands, rivers or other nontidal bodies of water and filling of tidal waters; Laying of underwater cables, tunnels or outfall pipes in tide waters.

Process: Pick up application form at U.S. Army Corps of Engineers

Fees: \$10 for non-commercial activity; \$100 for a commercial or industrial activity.

Other Information:



HAWAII

1. SHORELINE SETBACK VARIANCE, CZM PROGRAM

Issuing Agency: Planning Depts., each County:
County of Kauai (808)245-3919
County of Maui (808)243-7735
County of Hawaii (808)961-8288
City and County of Honolulu (808)523-4432

Statutory Reference: Chap 205A, HRS, Part III

Regulatory Reference: Shoreline Setback Rules and Regulations for each County

Activities Covered: Aquaculture development in the shoreline.

Process: File completed application, public hearing is required which may be held jointly with SMA. Should be filed concurrently with SMA.

Fees: \$100 to \$150

Other Information: CZM - Coastal Zone Management

2. SPECIAL MANAGEMENT AREA USE PERMIT, CZM PROGRAM

Issuing Agency: Planning Depts., each County:
County of Kauai (808)245-3919
County of Maui (808)243-7735
County of Hawaii (808)961-8288
City and County of Honolulu (808)523-4432

Statutory Reference: Chap 205A, Part II HRS

Regulatory Reference: SMA Rules and Regulations for each County

Activities Covered: Aquaculture development within the SMA.

Process: File completed application. Public hearing is required.

Fees: \$150 to \$200

Other Information: Issuance of SMAP is required to precede any other permit approval. Aquaculture development may be exempted from SMA on case by case basis.

3. WATER USE PERMIT

Issuing Agency: Commission on Water Resource Management
Department of Land & Natural Resources
1151 Punchbowl Street
Honolulu, HI 96813
(808)587-0265 FAX (808)587-0219

Statutory Reference: Chap 174C, HRS

Regulatory Reference: 13-171 HAR

Activities Covered: Water withdrawal from designated water management areas.

Process: File completed application. Public notice is issued. Public hearing may be scheduled.

Fees: \$25

Other Information:

4. WELL PERMIT

Issuing Agency: Commission on Water Resource Management
Department of Land & Natural Resources
1151 Punchbowl Street
Honolulu, HI 96813
(808)587-0265 FAX (808)587-0219

Statutory Reference: Chap 174C, HRS

Regulatory Reference: 13-168 HAR

Activities Covered: Well construction and pump installation.

Process: File completed application. A pumping test will be required for new wells. No public hearing.

Fees: \$25

Other Information:

5. UNDERGROUND INJECTION CONTROL

Issuing Agency: Wastewater Branch
Department of Health
500 Ala Moana Blvd., Suite 250D
Honolulu, HI 96813
(808)586-4294

Statutory Reference: PL 93-523, USC 300f, Chap 340E, HRS

Regulatory Reference: 11-23 HAR, 40 CFR, Part 144

Activities Covered: Discharge of aquaculture effluents using injection wells.

Process: File completed application. Public notice must be circulated for comment. Public hearing may be held.

Fees: \$100

Other Information:

6. FEDERAL CONSISTENCY REVIEW, COASTAL ZONE MANAGEMENT PROGRAM

Issuing Agency: Coastal Zone Management Program
Office of State Planning
P.O. Box 3540
Honolulu, HI 96811
(808)587-2879

Statutory Reference: PL 92-583, 16 USC 1451

Regulatory Reference: 15 CFR, Part 930

Activities Covered: All aquaculture activities requiring Federal permit that take place in the coastal zone.

Process: File completed application with CZM program concurrent with application for U.S Corps of Engineers permit. Public notice is required.

Fees: None

Other Information:

7. WATER QUALITY CERTIFICATION

Issuing Agency: Clean Water Branch
Environmental Management Division
Department of Health
500 Ala Moana Blvd., Suite 250
Honolulu, HI 96813
(808)586-4309 FAX (808)586-4370

Statutory Reference: 33 USC 1251, Chap 342 D, HRS

Regulatory Reference: 11-54 HAR

Activities Covered: Aquaculture activities requiring a permit from the U.S. Corps of Engineers need the certification before the permit is issued.

Process: Completed application is filed in conjunction with U.S. Corps permit. Public notice and opportunity to comment may be provided.

Fees: \$100

Other Information:

8. ZONE OF MIXING (ZOM) APPROVAL

Issuing Agency: Clean Water Branch
Environmental Management Division
Department of Health
500 Ala Moana Blvd., Suite 250
Honolulu, HI 96813
(808)586-4309 FAX (808)586-4370

Statutory Reference: 33 USC 1344, Chap 342D, Part III, HRS

Regulatory Reference: 11-54 HAR

Activities Covered: Aquaculture effluent discharge into certain coastal waters.

Process: Application for ZOM is made concurrently with NPDES. A public hearing is required.

Fees: None

Other Information:

9. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

Issuing Agency: Clean Water Branch
Environmental Management Division
Department of Health
500 Ala Moana Blvd., Suite 250
Honolulu, HI 96813
(808)586-4309 FAX (808)586-4370

Statutory Reference: 33 USC 134, Chap 342D, Part III, HRS

Regulatory Reference: 11-54 & 11-55, HAR

Activities Covered: Permit required before any aquaculture effluent discharge can be made from fixed point sources into surface waters.

Process: Submit application. No required public hearing but DOH must notify public of their intent to issue a permit.

Fees: \$100

Other Information:

10. HISTORIC SITE REVIEW

Issuing Agency: State Historic Preservation Division
Department of Land and Natural Resources
33 So. King Street, 6th Floor
Honolulu, HI 96813
(808)587-0047 FAX (808)587-0018

Statutory Reference: PL 89-665; 16 USC 470, Chap 6E, HRS

Regulatory Reference:

Activities Covered: Before State or County approval of any project which may affect an historic site, SHPD must have opportunity to comment on the effect of the proposed project.

Process: **Applicant must file notice of intention to perform any action which may impact an historic site 90 days prior to proposed start date. No state or county approval can be granted without giving SHPD opportunity to comment.**

Fees: **None**

Other Information:

11. PERMIT FOR WORK IN OCEAN WATERS

Issuing Agency: **Ocean Recreation Division
Department of Land & Natural Resources
79 S. Nimitz Highway
Honolulu, HI 96813
(808)587-1966**

Statutory Reference: **Chap 200, HRS, as amended**

Regulatory Reference: **19-42-161, HAR**

Activities Covered: **Dredging, filling or erecting of any construction within ocean waters or navigable streams of the state.**

Process: **Submit application. Generally processed together with CDUA application.**

Fees: **\$50**

Other Information:

12. CONSERVATION DISTRICT USE APPLICATION

Issuing Agency: Office of Conservation and Environmental Affairs
Department of Land and Natural Resources
1151 Punchbowl St.
Honolulu, HI 96813
(808)587-0377 FAX (808)587-0390

Statutory Reference: Chap 183 Hawaii Revised Statutes, as amended
Chap 205 HRS, as amended.

Regulatory Reference: 13-2 HAR

Activities Covered: Any use (aquafarming) of lands within Conservation District is required to submit application for approval prior to undertaking proposed use. CD encompasses large areas of mountain and shoreline lands, areas necessary to protect watersheds, all submerged ocean lands, and most ancient fish ponds.

Process: Upon acceptance of completed application by Department, Board of Land and Natural Resources must act within 180 days. Public hearing may be required and environmental assessment(EA) may be required.

Fees: \$100 (\$50 application, \$50 public hearing).

Other Information:

13. U.S. DEPARTMENT OF THE ARMY PERMIT

Issuing Agency: Operations Division
U.S. Army Engineer District, Honolulu
Building T-1, Room 105
Fort Shafter, HI 96858-5440
(808)438-9258 FAX (808)438-4060

Statutory Reference: Sect 10 Rivers & Harbor Act 1899, 33 USC 403
Sect 404 CWA as amended, 33 USC 1344
Sect 103 Mar Prot Res Sanct Act, 33 USC 1413

Regulatory Reference: 33 CFR 320-330

Activities Covered: Placement of structures or work in navigable waters, any dredging or disposal of dredge material in navigable waters, including wetlands.

Process: File completed application with D.A. Public notice is given within 15 days of receipt. Permit will be issued after all related permits and certifications are issued. A public hearing may be required.

Fees: \$100 Commercial Use.

Other Information:

IDAHO

1. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

Issuing Agency: Environmental Protection Agency
Chief Water Permits Section Reg. 10
Park Place Building 13th floor
1200 6th Avenue WA134
Seattle, WA 98101
(206)553-1389

Statutory Reference: Clean Water Act

Regulatory Reference:

Activities Covered: Discharge of fish farm effluent into waters of the U.S.

Process: Application made to EPA. On-site visit, draft permit, advertise and hold hearing, issue permit.

Fees:

Other Information: EPA has not issued some NPDES permits because of inability to complete process.

2. WATER QUALITY CERTIFICATION

Issuing Agency: Department of Environmental Quality
1410 N. Hilton 3rd floor
Boise, ID 83720

Statutory Reference: Sect 401 of Clean Water Act and State Water Quality Standards

Regulatory Reference:

Activities Covered: Certification of fish farms so they can receive NPDES Permit.

Process: Application

Fees:

Other Information:

3. WATER APPROPRIATION AND USE WATER RIGHTS

Issuing Agency: Department Water Resources
 1301 N. Orchard
 Boise, ID 83706-2237
 (208)327-7900

Statutory Reference:

Regulatory Reference:

Activities Covered: Permit to put water to beneficial use

Process: Application and review

Fees: Yes

Other Information:

4. COMMERCIAL FISH FACILITY LICENSE

Issuing Agency: Department of Agriculture
 Bureau of Animal Health
 P.O. Box 7249
 Boise, ID 83720
 (208)334-3256 FAX (208)334-2170

Statutory Reference: Chap. 46 Idaho Code

Regulatory Reference:

Activities Covered: Obtain, possess, preserve, or propagate fish for sale.

Process: Application

Fees: \$25 per facility

Other Information:

ILLINOIS

1. JOINT APPLICATION, SECTION 404 PERMIT, SECTION 401 PERMIT, AND WATERWAY CONSTRUCTION PERMIT

Issuing Agency: U.S. Army Corps of Engineers (Five District Offices)

Chicago District 219 S. Dearborn St. Chicago, IL 60604 (312)353-6434	Rock Island District Clock Tower Bldg. Rock Island, IL 61201 (309)788-6361
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St. Louis District 210 N. 12th St. Louis, MO 63101 (314)268-2872	Louisville District 600 Federal Place Louisville, KY 40201 (502)582-6461
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Memphis District 668 Federal Office Bldg. Memphis, TN 38103 (901)521-3471
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Dept. of Transportation/Div. of Water Resources
(Three District Offices)

Lake Michigan Area Div. of Water Resources Marina Towers Bldg. 300 N. State Street Chicago, IL 60610 (312)793-3123	Northern Area Division of Water Resources Woodfield Plaza Bldg. 1000 Plaza Drive Schaumburg, IL 60196 (312)884-4341
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Springfield Area Div. of Water Resources 2300 S. Dirksen Pkwy, Rm. 010 Springfield, IL 62764 (217)782-3862
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Environmental Protection Agency
Division of Pollution Control
Watershed Unit, Permit Section
2200 Churchill Road
Springfield, IL 62794-9276
(217)782-1696

Department of Conservation
Impact Analysis Section
Lincoln Tower Plaza
524 South Second Street
Springfield, IL 62706
(217)782-3715

Statutory Reference:

Regulatory Reference:

Activities Covered: Anyone proposing to dredge, fill, riprap, or otherwise alter the banks or beds of, or construct, operate, or maintain any dock, pier, wharf, sluice, dam piling, wall fence, utility crossing, building levee, dike, or other structure in any stream, lake, wetland, floodplain, or floodway subject to State or Federal regulatory jurisdiction.

Process: Review time required is generally 180 days, and all approvals must be obtained before work can proceed.

Fees: The Corps will advise the applicant if a fee will be assessed as well as details for payment.

Other Information:

2. **NOTICE OF INTENT AND APPLICATION FOR AUTHORIZATION TO DRILL A WATER WELL**

Issuing Agency: Department of Public Health
525 West Jefferson, Floor 3
Springfield, IL 62761
(217)782-4977

Statutory Reference:

Regulatory Reference:

Activities Covered: Anyone proposing to drill a new water well.

Process: Generally one week is needed for review.

Fees: \$100

Other Information:

3. AQUACULTURE FACILITIES PERMIT

Issuing Agency: Department of Conservation
Jake Wolf Memorial Fish Hatchery
Box 560
Manito, IL 61546
(309)968-7531

Statutory Reference:

Regulatory Reference:

Activities Covered: Anyone who plans to engage in breeding, hatching, propagation, or raising of aquatic life, whether on the Approved Species List or not.

Process: It may take from one week to a month, or longer if a species is not on the Approved Species List.

Fees: \$50/year is required, renewable February 1 of each year.

Other Information:

4. RESTRICTED SPECIES TRANSPORTATION PERMIT

Issuing Agency: Department of Conservation
Division of Fisheries
600 N. Grand Ave. West, Suite 3
Springfield, IL 62701-1787
(217)782-6424

Statutory Reference:

Regulatory Reference:

Activities Covered: Anyone who plans to transport, ship, or convey within the State any live grass carp or white amur, bighead carp, silver carp or hybrid grass carp. Lake or pond owners are exempt from the "Restricted Species Transportation Permit" while transporting grass carp purchased for stocking if they have a signed receipt from an aquaculture permit holder stating that the grass carp have a triploid number of chromosomes and the lake or pond owner's name and address is listed on his permit.

Process:

Fees:

Other Information:

5. DEALERS LICENSE (FISH, MINNOW, MUSSELS)

Issuing Agency: Department of Conservation
Commercial Permit Section
210 Lincoln Tower Plaza
524 South Second Street
Springfield, IL 62706
(217)782-2964

Statutory Reference:

Regulatory Reference:

Activities Covered: Plan to engage in only one of the following activities. (If multiple licenses are needed, apply for an Aquaculture Facilities Permit).

1. Retail (Wholesale) Fish Dealer's license is required by any resident who operates a retail (wholesale) fish market where he/she sells, or offers for sale, for consumption or stocking of any aquatic life indigenous to Illinois (except minnows). A Non-Resident Fish Dealer's License is required for any non-Illinois resident. A Restricted Species Permit is required for triploid grass carp.
2. Retail (Wholesale) Minnow Dealer's License is required by any resident who sells or offers minnows for sale in Illinois.
3. Interstate Minnow Dealer's License is required by any resident who plans to sell and transport live minnows obtained within the State across State borders.
4. Mussel Dealer's License is required by any resident receiving, buying, or offering to sell mussels. A Non-Resident Mussel Dealer's License is required for any non-Illinois resident.

Process:	One week to one month is required for the application review, and the license(s) are renewable February 1 of each year.
Fees:	Retail Fish Dealer's License - \$10/year Wholesale Fish Dealer's License - \$50/year Retail Minnow Dealer's License - \$5/year Wholesale Minnow Dealer's License - \$25/year Interstate Minnow Dealer's License - \$500/year Mussel Dealer's License - \$50/year Non-Resident Fish Dealer's License - \$100/year Non-resident Mussel Dealer's License - \$100/year Restricted Species Permit - none

Other Information:

6. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

Issuing Agency: Environmental Protection Agency
 Division of Water Pollution Control
 Permit Section
 2200 Churchill Road
 Box 19276
 Springfield, IL 62794-9276
 (217)782-0610

U.S. Environmental Protection Agency
 Region V
 230 South Dearborn St.
 Chicago, IL 60604
 ATTN: Permit Contact (5EP)
 (312)353-2105

Statutory Reference:

Regulatory Reference:

Activities Covered: NPDES permits are required for the construction, modification, or operation of facilities, such as hatcheries, fish farms, or other facilities that contain, grow, or hold aquatic animals in ponds, raceways, tanks or other similar structures for purposes of production and from which there is or may be a discharge for any 30 or more days per year. NPDES permits are not required for closed ponds which discharge only during periods of excess runoff, or facilities that produce fewer than 20,000 pounds of aquatic animals per year. NPDES permits are required for any aquatic life facility that contains, grows, or holds any species non-native to the U.S., from which there is a discharge to a navigable water at any time (common carp, goldfish, and brown trout are exempt). NPDES permits are also required for processing facilities that discharge wastewaters into water of the State.

Process: The permit process starts with the completion of Forum 1, "General Information, Consolidated Permits Program" and continues depending on each specific situation. Generally 180 days are required for an NPDES permit to be issued, and no fee is assessed. Renewal is less than 5 years.

Fees:

Other Information:

7. DAILY FEE FISHING POND LICENSE

Issuing Agency: Department of Conservation
Commercial Permit Section
210 Lincoln Tower Plaza
524 South Second Street
Springfield, IL 62706
(217)782-2965

Statutory Reference:

Regulatory Reference:

Activities Covered: Anyone owning, controlling, or operating a water area, including access to this water area, that is used for fishing by those either directly or indirectly paying a fee for that fishing.

Process: One week to one month is required for the application review.

Fees: \$50/year

Other Information:

8. SPECIAL WASTE HAULING PERMIT

Issuing Agency: Environmental Protection Agency
Division of Land Pollution Control
Special Waste Hauling Unit, Permit Section
2200 Churchill Road, Box 19276
Springfield, IL 62794-9276
(217)782-6761

Statutory Reference:

Regulatory Reference:

Activities Covered: Individuals hauling processing wastes from aquaculture facilities or processing plants for disposal in landfills.

Process: The Division will review the application and issue a Licensed Special Waste Hauler number and seals that must be affixed to vehicles, tanks, and equipment enumerated on the permit application. Generally 90 days are needed to process the application.

Fees: \$100

Other Information:

9. DESIGN AND MAINTENANCE CRITERIA REGARDING RUNOFF FIELD APPLICATION SYSTEMS (THIS IS NOT A PERMIT)

Issuing Agency: Environmental Protection Agency
Division of Water Pollution Control
Permit Section
2200 Churchill Road, Box 19276
Springfield, IL 62794-9276
(217)782-1696

Statutory Reference:

Regulatory Reference:

Activities Covered: Anyone planning to discharge wastewaters into a runoff field application system (commonly called vegetative filter system). Runoff field application systems should not be constructed or operated if an NPDES permit is required. Sufficient land area with characteristics capable of meeting the design and maintenance criteria must be available.

Process:

Fees:

Other Information:

10. CONSTRUCTION AND/OR OPERATING PERMIT

Issuing Agency: Environmental Protection Agency
Division of Water Pollution Control
Permit Section
2200 Churchill Road, Box 19276
Springfield, IL 62794-9276
(217)782-0160

Statutory Reference:

Regulatory Reference:

Activities Covered: Treatment works or wastewater sources which may or may not have discharges need a permit. Check with agency for criteria.

Process: The review process generally requires 90 days once an application is considered complete.

Fees: None

Other Information: Construction permits are issued for not more than 2 years. Operating permits are issued for not more than 5 years.

11. LAND APPLICATION OF SLUDGE PERMIT DESIGN CRITERIA FOR FIELD APPLICATION OF LIVESTOCK WASTE (THIS IS NOT A PERMIT)

Issuing Agency: Environmental Protection Agency
Division of Water Pollution Control
Permit Section
2200 Churchill Road, Box 19276
Springfield, IL 62794-9276
(217)782-0160

Statutory Reference:

Regulatory Reference:

Activities Covered: Anyone planning to apply livestock waste to land must check with agency for design criteria used with raw wastes and a permit for "sludge" (extracted from a wastewater treatment system).

Process:

Fees:

Other Information:

12. CONSTRUCTION AND/OR OPERATING PERMIT AIR POLLUTION CONTROL INCINERATOR

Issuing Agency: Environmental Protection Agency
Division of Air Pollution Control
Permit Section
2200 Churchill Road, Box 19276
Springfield, IL 62794-9276
(217)782-2113

Statutory Reference:

Regulatory Reference:

Activities Covered: Anyone constructing a new or modifying an existing emission source or any new air pollution control equipment, must obtain a construction permit. Anyone operating an existing emission source or air pollution control equipment must first obtain an operating permit.

Process: If a test burn of the incinerator is required, the processing time is generally 120 days; if the incinerator has been pre-tested for the waste materials, then the permit is generally issued within 30 days.

Fees: Facilities that process less than 25 tons of material per year pay \$75 and if more than 25 tons per year pay \$250. Fixed term permits are issued, ranging from 6 months to 5 years.

Other Information:

13. DISPOSAL OF DEAD ANIMALS

Issuing Agency: Department of Agriculture
Agriculture Building
Illinois State Fairgrounds,
Box 19281
Springfield, IL 62794-9281
(217)782-6657

Statutory Reference:

Regulatory Reference:

Activities Covered: Anyone operating a rendering plant needs this permit. However, on - site disposal of dead fish is allowed for aquaculturists without any permit as long as certain guidelines are followed:

1. Disposal may not take place in a waterway.
2. No lime allowed to be used on dead animal (fish) matter.
3. All dead animal (fish) matter must be covered by at least six inches of dirt at all times.

Process:

Fees:

Other Information:

INDIANA

1. REGISTRATION OF BUSINESS

Issuing Agency: Wholesale Food Protection Program
1330 W. Michigan Street
P.O. Box 1964
Indianapolis, IN 46206
(317)633-0332 FAX (317)633-0776

Statutory Reference: Indiana Code 16-1-29-15

Regulatory Reference:

Activities Covered: All manufacturers and wholesale distributors of food excluding meat, poultry and dairy products.

Process: An application for registration is given to businesses by the inspector during an initial inspection or to new firm owners during a change of ownership.

Fees: No fee for registration. Fee determined by gross sales.

Other Information: See Indiana Code 16-1-29 and ISDH Rule 410 IAC 7-6-5.

2. AQUACULTURE PERMIT

Issuing Agency: Department of Natural Resources (DNR)
402 West Washington Street, Room W-273
Indianapolis, IN 46204
(317)232-4080 FAX (317)232-8150

Statutory Reference:

Regulatory Reference: 310 AIC 3.1-10-18

Activities Covered: Import, raise, sell or transport fish in Indiana

Process: Applications are available from DNR.

Fees: None

Other Information: This permit complements the fish haulers and suppliers permit.

3. FISH IMPORTATION PERMIT

Issuing Agency: Department of Natural Resources (DNR)
402 West Washington Street, Room W-273
Indianapolis, IN 46204
(317)232-4080 FAX (317)232-8150

Statutory Reference:

Regulatory Reference: 310 IAC 3.1-10-16

Activities Covered: Importing live fish into the state

Process: Permit applied for through DNR office.

Fees: \$10

Other Information: This is usually a one time activity.

4. FISH HAULERS AND SUPPLIERS PERMIT

Issuing Agency: Department of Natural Resources (DNR)
402 West Washington Street, Room W-273
Indianapolis, IN 46204
(317)232-4080 FAX (317)232-8150

Statutory Reference:

Regulatory Reference: 310 IAC 3.1-10-15

Activities Covered: Importing live fish for sale, from another state or country or producing live fish for sale.

Process: Permit applications are available through DNR office.
Completed applications are reviewed for completeness.

Fees: None

Other Information:

IOWA

1. WATER QUALITY CERTIFICATION

Issuing Agency: Department of Natural Resources (DNR)
Wallace State Office Building
Des Moines, IA 50319
(515)281-7706

Statutory Reference: Code of Iowa - Natural Resources

Regulatory Reference: Chapter 401

Activities Covered: Necessary if 404 permit is required.

Process: Complete joint application form and submit to DNR Water Protection Bureau and to U.S. Army Engineer District, Rock Island, P.O. Box 2004, Clocktower Building, Rock Island, IL 61204-2004.

Fees: None

Other Information:

2. WATER WITHDRAWAL AND STORAGE

Issuing Agency: Department of Natural Resources
Wallace State Office Building
Des Moines, IA 50319
(515)281-8998

Statutory Reference: Code of Iowa - Natural Resources

Regulatory Reference: Section 567.50-.54

Activities Covered: Withdrawal or diversion of 25,000 gallons per day or storage of at least 18 acre feet.

Process: Complete joint application form and submit to DNR Water Protection Bureau and to U.S. Army Engineer District, Rock Island, P.O. Box 2004, Clocktower Building, Rock Island, IL 61204-2004.

Fees: None

Other Information:

3. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

Issuing Agency: Department of Natural Resources (DNR)
Wallace State Office Building
Des Moines, IA 50319
(515)281-8877

Statutory Reference: Code of Iowa - Natural Resources

Regulatory Reference: Section 567.60-.68

Activities Covered: Discharge of industrial and municipal pollutants into nation's waters.

Process: Complete joint application form and submit to DNR Water Protection Bureau and to U.S. Army Engineer District, Rock Island, P.O. Box 2004, Clocktower Building, Rock Island, IL 61204-2004.

Fees: None

Other Information:

4. SOVEREIGN LANDS PERMIT

Issuing Agency: Department of Natural Resources
Wallace State Office Building
Des Moines, IA 50319
(515)281-5029

Statutory Reference: Code of Iowa - Natural Resources

Regulatory Reference: Section 111

Activities Covered: Construction and discharge in streams and lakes which were measured under original government land surveys.

Process: Complete joint application form and submit to DNR Water Protection Bureau and to U.S. Army Engineer District, Rock Island, P.O. Box 2004, Clocktower Building, Rock Island, IL 61204-2004.

Fees: \$25

Other Information:

5. FLOOD PLAIN CONSTRUCTION PERMIT

Issuing Agency: Department of Natural Resources (DNR)
Wallace State Office Building
Des Moines, IA 50319
(515)281-5029

Statutory Reference: Code of Iowa - Natural Resources

Regulatory Reference: Chapter 455B .276-.277; Chapter 469.23-.24

Activities Covered: Flood plain development, construction, dam removal, levees, channel changes.

Process: Complete joint application form and submit to DNR Water Protection Bureau and to U.S. Army Engineer District, Rock Island, P.O. Box 2004, Clocktower Building, Rock Island, IL 61204-2004.

Fees: None

Other Information:

6. AQUACULTURE PERMIT

Issuing Agency: Department of Natural Resources (DNR)
Wallace State Office Building
Des Moines, IA 50319
(515)281-5208 FAX (515)281-6794

Statutory Reference: Code of Iowa - Natural Resources

Regulatory Reference: Section 109.141, .142, .143

Activities Covered: License for aquaculture units; importation; definitions

Process: Application for permit followed by site visit before issued aquaculture license; inspection of designated species for certain diseases before importation.

Fees: \$25 resident aquaculture license
\$50 non-resident aquaculture license.

Other Information:

7. GENERAL REGULATORY POLICY PERMIT

Issuing Agency: U.S. Army Corps of Engineers
Rock Island District
Clocktower Building
P.O. Box 2004
Rock Island, IL 61204-2004
(309)788-6361

Statutory Reference: Section 404

Regulatory Reference: 33 CFR 320-330

Activities Covered: Permits required for discharge of dredge fill material into nation's waters and/or wetlands, for construction of pond levees, flooding of areas and general development.

Process: Complete joint application form and submit to DNR Water Protection Bureau at above address of Corps. of Engineers.

Fees: \$10 - \$100

Other Information:

KANSAS

1. PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Issuing Agency: Division of Water Resources
Department of Agriculture
901 S. Kansas Avenue - 2nd floor
Topeka, KS 66612-1283
(913)296-3717 FAX (913)296-1176

Statutory Reference: Kansas Water Appropriation Act
As Amended July 1, 1991

Regulatory Reference: Kansas Water Appropriation Act
As Amended July 1, 1991

Activities Covered: Issuance of permits to appropriate water and enforce conditions of permits.

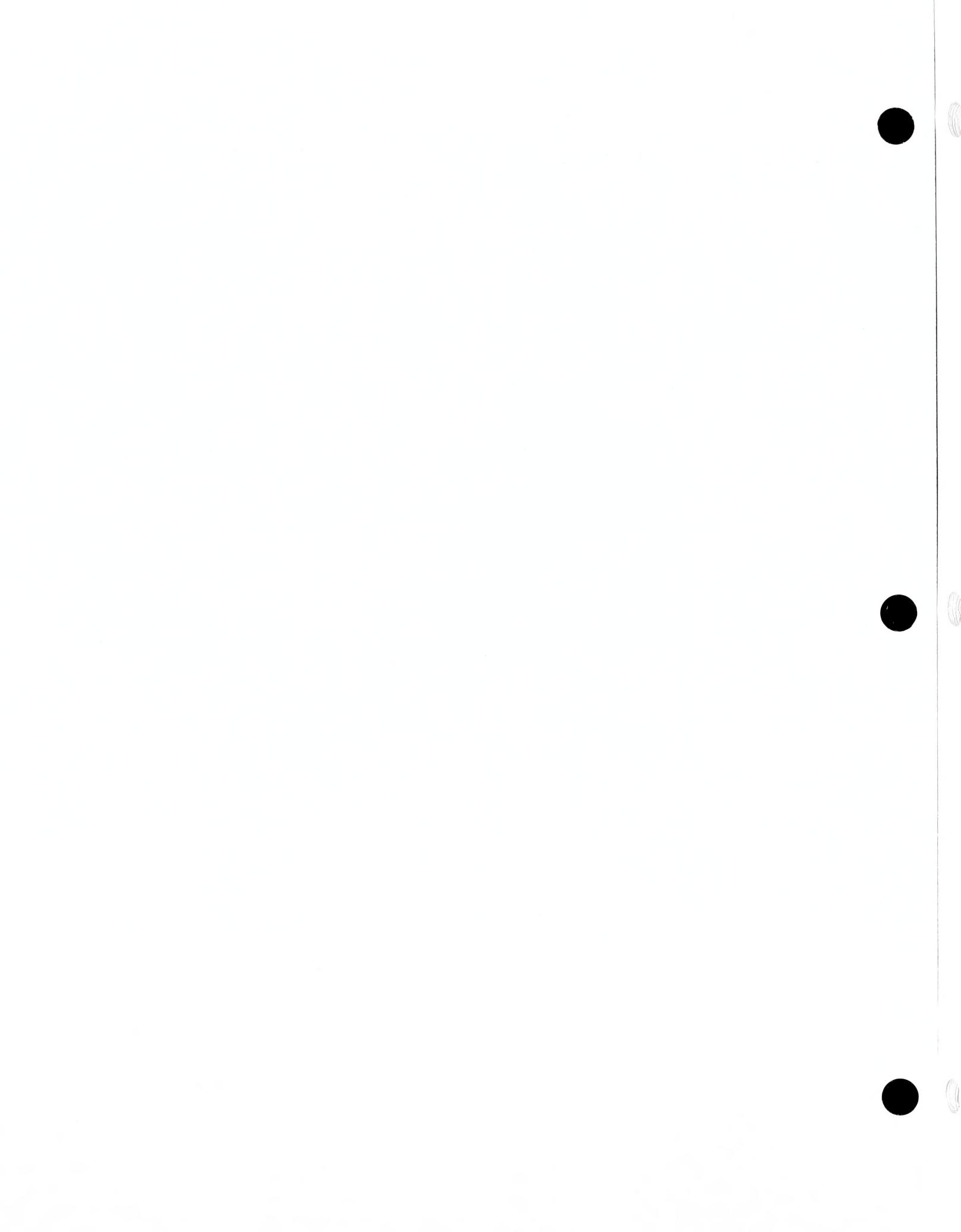
Process: File application with Division of Water Resources for approval to appropriate water for beneficial use.

Fees:
0-100 acre-feet - \$100
101-320 acre/feet - \$150
More than 320 acre-feet - \$150 plus \$10 for each additional 100 acre-feet or any part thereof.

If storage is requested:
0-250 acre-feet - \$100
More than 250 acre-feet - \$150 plus \$10 for each additional 250 acre-feet of storage or any part thereof.

Note: If both direct use and storage are requested fee will be determined by whichever is greater, but not both fees.

Other Information:



KENTUCKY

No information has been submitted for the state of Kentucky.



LOUISIANA

1. WATER DISCHARGE PERMIT

Issuing Agency: Department of Environmental Quality
Office of Water Resources
(504)765-0720 FAX (504)765-0743

Statutory Reference: Louisiana Administrative Code Title 33

Regulatory Reference: Part IX, Chapter 3

Activities Covered: Concentrated aquatic animal production facilities, including hatcheries, fish farms or other facilities which discharge at least 30 days per year with certain exemptions.

Process: Request on-site inspection of the facility to determine eligibility under permit program. If eligible, apply to the DEQ Office of Water Resources. Permits issued on a case-by-case basis. No general permits are required or issued.

Fees: Variable based upon facility size, discharge volume and amount of pollutant involved.

Other Information:

2. TILAPIA PERMIT

Issuing Agency: Department of Wildlife and Fisheries
Inland Fish Division
P.O. Box 9800
Baton Rouge, LA 70898
(504)765-2328 FAX (504)765-2489

Statutory Reference: R.S. 76:903

Regulatory Reference: Rule - LA Dept. of Wildlife and Fisheries

Activities Covered: Regulations govern the importation, exportation, transportation, culture, possession, disposal, transfer and sale of tilapia and/or their hybrids in Louisiana.

Process: Request application for permit from Administrator, Inland Fish Division, Louisiana Dept. of Wildlife and Fisheries, P.O. Box 9800, Baton Rouge, LA 70898-9000.

Fees: \$50 plus cost of site inspection

Other Information:

3. TRIPLOID GRASS CARP PERMIT

Issuing Agency: Department of Wildlife and Fisheries
Inland Fish Division
P.O. Box 9800
Baton Rouge, LA 70898
(504)765-2328 FAX (504)765-2489

Statutory Reference: R.S. 56:318 R.S. 76:901

Regulatory Reference: Rule - LA Dept. of Wildlife and Fisheries

Activities Covered: Govern the importation, transportation, possession, disposal and sale of live triploid grass carp in Louisiana.

Process: Request application for permit from Administrator, Inland Fish Division, Louisiana Dept. of Wildlife and Fisheries, P.O. Box 9800, Baton Rouge, LA 70898-9000.

Fees: \$50 plus cost of site inspection

Other Information:

4. GAMEFISH FARMER'S PERMIT

Issuing Agency: Department of Wildlife and Fisheries
Inland Fish Division
P.O. Box 9800
Baton Rouge, LA 70898
(504)765-2328 FAX (504)765-2489

Statutory Reference: R.S. 56:411 R.S. 76:159

Regulatory Reference: Rule - LA Dept. of Wildlife and Fisheries

Activities Covered: Culture and sale of gamefish species within the State.

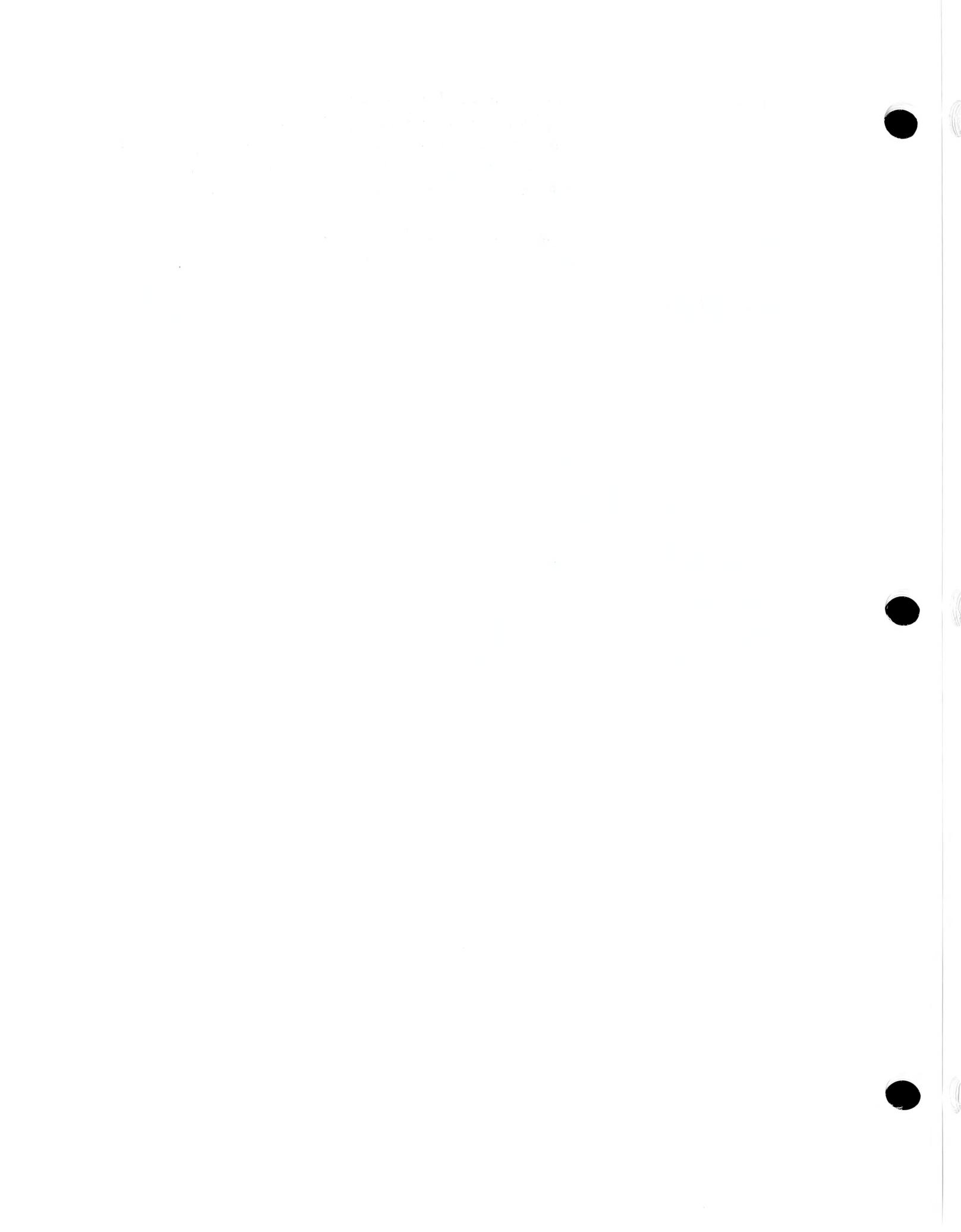
Process:

Farmers must obtain a Fish Farmers Certificate from the Louisiana Dept. of Wildlife and Fisheries, then apply for a Gamefish Farmers Permit from the Administrator, Inland Fish Division, Louisiana Dept. of Wildlife and Fisheries, P.O. Box 9800, Baton Rouge, LA 70898-9000.

Fees:

**Fish Farmers Certificate (\$15)
Gamefish Farmers Permit (No charge)**

Other Information:



MAINE

1. AQUACULTURE LEASE

Issuing Agency: Department of Marine Resources
State House Station #21
Augusta, ME 04333
(207)624-6550 FAX (207)624-6024

Statutory Reference: 12 M.R.S.A. §6072

Regulatory Reference: DMR Regulations Chapter 2

Activities Covered: Aquaculture in, on and under the coastal waters, including public lands beneath those waters and portions of the intertidal zone, for aquaculture of marine organisms.

Process: Submit application to Department. Department conducts an assessment of the proposed site and surrounding area to determine the impact on commercially and ecologically significant flora and fauna and conflicts with traditional fisheries. Following this a public adjudicatory hearing on the application is held.

Fees: A non-refundable application fee based on acreage \$100 to \$1000, and annual rental fee \$50.00/acre/yr.

Other Information:

2. WATER QUALITY CERTIFICATION

Issuing Agency: Department of Environmental Protection
State House Station #17
Augusta, ME 04333
(207)287-3901 FAX (207)287-7826

Statutory Reference: Section 401 of Clean Water Act

Regulatory Reference:

Activities Covered: Discharge to Waters, Classification attainment.

Process: Submit application to Department of Marine Resources (DMR). DMR then discusses application with DEP for Water Quality Certification.

Fees: None at DEP - all covered under DMR.

Other Information: All applications are sent to DMR, "One stop shopping". DEP does not deal directly with applicant.

In addition, the State of Maine has established a joint Federal and State effort to facilitate the processing of applicants for net-pen aquaculture permits. Permitting agencies covered by the joint application requirements and procedures are:

U.S. Army Corps of Engineers New England Division, ACOE (Section 10 of the Rivers and Harbors Act of 1899)

U.S. Army Corps of Engineers
Maine Project Office
Attn: Aquaculture Coordinator
R.R. 5 Box 1855
Augusta, ME 04333

U.S. Environmental Protection Agency, USEPA (Clean Water Act 33 U.S.C. National Pollutant Discharge Elimination System, NPDES)

National Pollutant Discharge Elimination System
Program Operations Section, WCP
Attn: Aquaculture Permit Coordinator
U.S. Environmental Protection Agency
P.O. Box 8127
Boston, MA 02114

State of Maine Department of Environmental Protection, MDEP (M.S.R.A. Title 38 Article 4-A, Water Classification Program)

Maine Department of Environmental Protection
Attn: Marine Water Quality Certification Section
State House Station #17
Augusta, ME 04333

MARYLAND

1. NONTIDAL WETLANDS AND WATERWAYS WATER QUALITY CERTIFICATION

Issuing Agency:	Department of the Environment (DOE) Water Management Administration Non Tidal Wetlands and Waterways Tawes State Office Bldg. 580 Taylor Avenue Annapolis, MD 21401 (410)974-3841 FAX (410)974-3907
Statutory Reference:	Section 401 of the Clean Water Act §8-1201 - §8-1211 (Nontidal Wetlands), §8-203 and §8-801 - 814 (Waterway Construction).
Regulatory Reference:	COMAR 26.08.02, COMAR 08.05.04 - .13, COMAR 08.05.04.01
Activities Covered:	All activities involving filling, construction, including pond construction, reconstruction, repair, or alteration of dam, reservoir or waterway obstruction or any change of the course, current, or cross-section of a stream or body of water within the State including any changes to the 100 year frequency flooplain of free flowing, nontidal waters.
	Excavation, fill, changes to hydrology, grading, alteration of vegetation and drainage of nontidal wetlands or nontidal wetlands buffers state wide.
Process:	A permit or letter of authorization is obtained by submitting an application to DOE. Copies are distributed to appropriate federal and State permitting authorities, i.e. Tidal Wetlands, Dam Safety Division. Applicants may be required to submit engineering analyses to demonstrate floodplain impacts.
	Contact local SCD for assistance in having wetlands delineated and siting aquaculture facilities to avoid and minimize impacts.

Once application is complete, the application is advertized with the opportunity for public hearing. If a hearing is requested, the Department will schedule the hearing. The applicant must attend the hearing. The permit may be issued if no hearing is requested, or after the hearing if one is requested.

Fees: None

Other Information: Division provides opportunity for assistance with permit requirements through pre-application meetings. Floodplain activities also require permits from local authorities, and must comply with standards of the National Flood Insurance Program. Approved erosion and sediment control plans are required prior to issuance of permits.

2. STATE DISCHARGE PERMIT

Issuing Agency: Department of the Environment
Water Management Administration
2500 Broening Highway
Baltimore, MD 21224
(410)631-3323 FAX (410)631-4894

Statutory Reference: Environment Article, Annotated Code of MD-Sections 9-322 through 9-333

Regulatory Reference: Code of Maryland Regulations (26.08.04)

Activities Covered: Aquaculture facilities discharging wastewater to State waters with exception of crab shedding operations and flow through cultures of less than 10,000 gpd monthly average.

Process: Review application; Visit site; Draft permit; Advertise proposed permit and hold hearing; Issue permit.

Fees: Special exclusion for aquaculture facilities discharging less than 1 mgd.

Other Information: Assistance in completing applications and interpreting applicable regulations is available.

3. WATER APPROPRIATIONS AND USE PERMIT

Issuing Agency: Department of the Environment
Water Resources Administration
Water Rights Division
Tawes State Office Bldg.
580 Taylor Avenue
Annapolis, MD 21401
(410)974-2456 FAX (410)974-3907

Statutory Reference: §8-802, §8-806 and §8-807(b)

Regulatory Reference: None promulgated

Activities Covered: All agriculture uses, including food processing, appropriating an average of 10,000 gallons of water per day or more.

Process: Apply to DOE. The assigned staff geologist will contact the applicant to obtain specifics on aquaculture design and operation. This information is used to estimate water use. Public notification is required. Once application is complete, the application is advertized with the opportunity for public hearing. If a hearing is requested the Department will schedule the hearing and represent the applicant. The applicant must attend the hearing. The permit may be issued if no hearing is requested, or after the hearing if one is requested.

Fees: None

Other Information: Agricultural use receives second priority during a water emergency. Voluntary permits for agricultural uses under 10,000 gpd may be issued to verify agricultural use.

4. FEDERAL CONSISTENCY DETERMINATION (Coastal Zone Consistency)

Issuing Agency: Department of the Environment
Water Resources Administration
Coastal Zone Consistency Unit
Tawes State Office Bldg.
580 Taylor Avenue
Annapolis, MD 21401
(410)974-2156 FAX (410)974-3907

Statutory Reference: **Federal Coastal Zone Management Act of 1972, as amended**

Regulatory Reference: **N/A**

Activities Covered: **Proposed federal activities affecting the State's Coastal Zone. Activities include direct federal agency actions, federal licenses and permits, and financial assistance to state and local governments.**

Process: **No separate application required. Federal agency is responsible for notifying this office. For example, with regard to Corps of Engineer's permits, the coastal zone consistency review is initiated by the joint permit application and the public notice put out by the Corps.**

Fees: **None**

Other Information:

5. SURFACE MINE PERMIT/LICENSE

Issuing Agency: **Department of the Environment
Water Resources Administration
Minerals Oil/Gas Division
Tawes State Office Bldg.
580 Taylor Avenue
Annapolis, MD 21401
(410)974-3874 FAX (410)974-5067**

Statutory Reference: **Natural Resource Act 7-6A01 - 7-6A31**

Regulatory Reference: **COMAR .08.05.10.01 - .30**

Activities Covered: **Any excavation in excess of one acre that will result in the off-site transport of minerals (any non-fuel earthen material will be considered a mineral).**

Process: **Apply to the Department. Sites less than 5 acres do not require an engineer. Obtain necessary local approvals, such as zoning, from the appropriate agency and an approved sediment control plan from the local Soil Conservation District. State and local reviews may occur concurrently.**

Once application is complete, the application is advertized with the opportunity for public hearing. If a hearing is requested, the Department will schedule the hearing. The applicant must attend the hearing. The permit may be issued if no hearing is requested, or after the hearing if one is requested.

Fees: License: \$300 new; \$150 renewal (annually)
Permit: \$12/acre annual; \$30/acre one-time initial fee.

Other Information: Any site exceeding 5 acres may require a public hearing.

6. AQUACULTURE PERMIT

Issuing Agency: Department of Natural Resources (DNR)
580 Taylor Avenue
Annapolis, MD 21401
(410)974-3733 FAX (410)974-2600

Statutory Reference: Annotated Code of MD - Natural Resources

Regulatory Reference: Code of Maryland Regulations

Activities Covered: Title 08 Natural Resources

Process: Site visitation by DNR prior to issue of permit

Fees: None

Other Information: Permit valid for 5 years and is renewable. Experimental tidal permits are available for finfish and shellfish water column aquaculture. Aquaculture permit is not necessary for shellfish production on leased bottom.

7. TIDAL WETLAND LICENSE/PERMIT

Issuing Agency: Department of the Environment
Water Resources Administration
Tidal Wetlands Division
Tawes State Office Bldg.
580 Taylor Avenue
Annapolis, MD 21401
(410)974-3871 FAX (410)974-2618

Statutory Reference: Title 9, Wetlands & Riparian Rights

Regulatory Reference: COMAR 08.05.05 Tidal Wetlands

Activities Covered: Filling and dredging of open water and vegetated tidal wetlands.

Process: A permit or license is obtained by submitting a joint application to DOE. Copies are distributed to DNR, Corps of Engineers for review.

Once application is complete, the application is advertized with the opportunity for public hearing. If a hearing is requested, the Department will schedule the hearing. The applicant must attend the hearing. The permit may be issued if no hearing is requested, or after the hearing if one is requested.

Fees: Lease fees may be assessed by the Board of Public Works.

Other Information:

8. CRITICAL AREA - APPROVAL AUTHORITY (NO PERMIT)

Issuing Agency: Chesapeake Bay Critical Area Commission
275 West St., Suite 320
Annapolis, MD 21401
(410)974-2426 FAX (410)974-5338

Statutory Reference: Natural Resources Article §8-1801 through §8-1816

Regulatory Reference: COMAR 14.15 et seq and 14.19

Activities Covered: All State and local agency sponsored activities/programs affecting the Critical Area (1000' from the mean high water line of tidal waters or the landward side of tidal wetlands)

Process: Submittal to the Commission of the proposed project/activity prior to the commencement of construction or prior to the completion of final plans for site design, development or engineering, whichever is earlier.

Fees: None

Other Information: State and local agency sponsored projects in the Critical Area cannot move forward to construction without prior Commission approval.

9. REGIONAL/GENERAL PERMIT, NATIONWIDE PERMIT, INDIVIDUAL PERMIT

Issuing Agency: Army Corps of Engineers
P.O. Box 1715
Baltimore, MD 21203
(410)962-3670 FAX (410)962-2451

Statutory Reference: Section 404 CWA

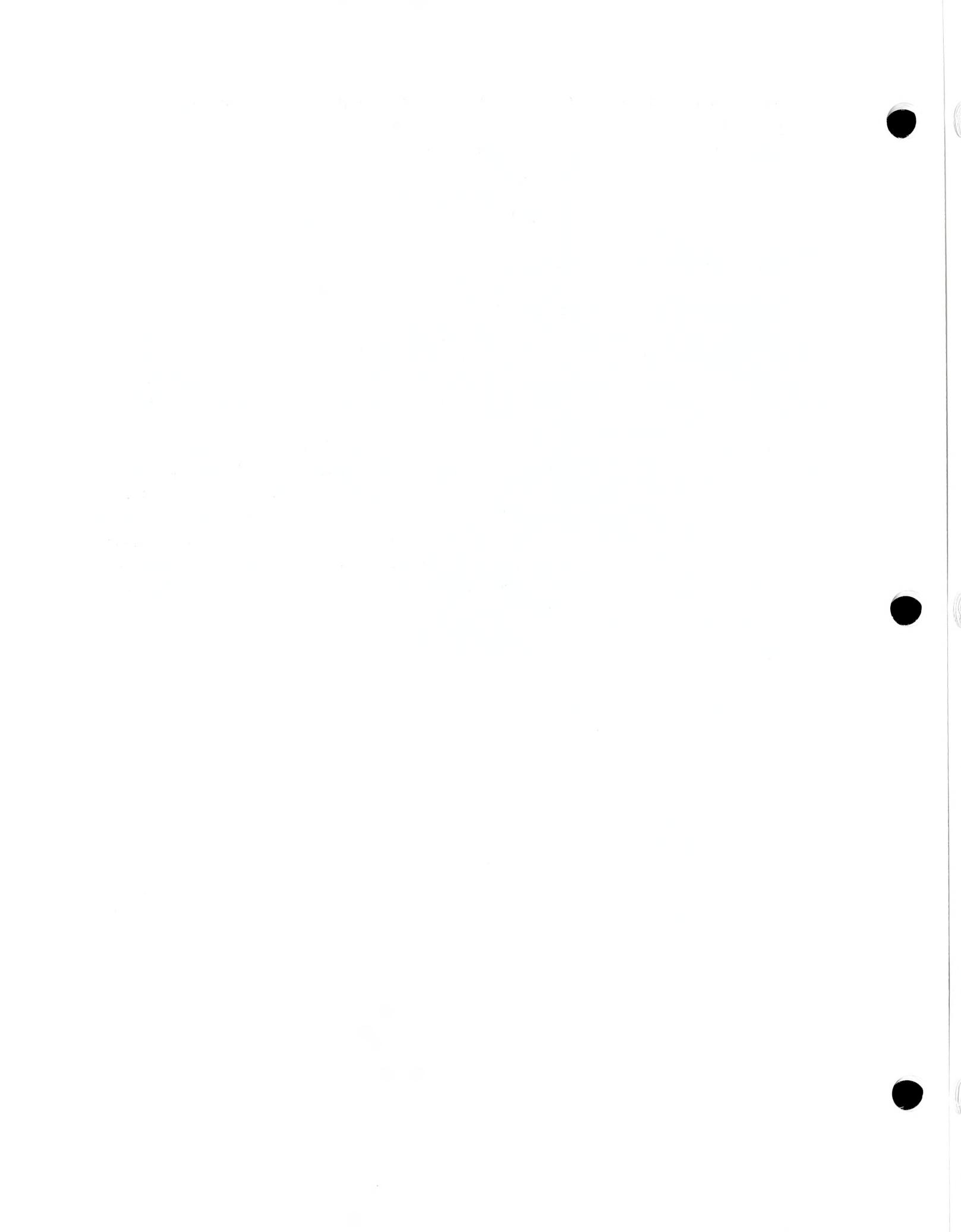
Regulatory Reference: 33 CFR 320-330

Activities Covered: Permits are required for the discharge of dredge or fill material into the nation's waters and/or wetlands for construction of pond embankment, flooding of areas, etc.

Process: Effective 1 January 1991 the State of Maryland and the Baltimore District Corps of Engineers initiated new joint processing procedures which are designed to streamline the State and Corps permitting systems. Therefore, applications should be submitted to the DNR Permit Service Center, Water Resources Administration, MD Dept. of Natural Resources, Tawes State Office Building, Annapolis, MD 21401.

Fees: \$10 or \$100

Other Information:



MASSACHUSETTS

1. WATER WITHDRAWAL PERMIT

Issuing Agency: Department of Environmental Protection
Division of Water Supply
One Winter Street
Boston, MA 02108
(617)292-5706

Statutory Reference: Water Management Act 21G

Regulatory Reference:

Activities Covered: Water usage; quantities regulated if over 100,000 gallons/day.

Process: Requires permit if >100,000 gallon/day. Apply anytime.
Takes 9 months. Includes public notice of all abettors as well as abettors to abettors.

Fees: \$1900 permit fee, \$100/yr. if accepted.

Other Information:

2. SHELLFISH GRANT APPLICATION

Issuing Agency: Local Board of Selectmen
Each municipality

Statutory Reference: Ch. 130 Sec 58

Regulatory Reference:

Activities Covered: Licensing for shellfish culture.

Process:

Fees:

Other Information:

3. WETLANDS PERMITS WETLAND PROTECTION ACT

Issuing Agency: Department of Environmental Protection
One Winter Street
Boston, MA 02108
(617)292-5695

Statutory Reference: 310 CMR 10

Regulatory Reference:

Activities Covered: All activity in or near any wetland.

Process: Local conservation commission review, subject to Department of Environmental Protection approval or rejection.

Fees: Local filing fee up to \$400.

Other information:

4. CLASS I, II, III FISH PROPAGATION/POSSESSION PERMIT

Issuing Agency: Division of Fisheries and Wildlife
100 Nashua Street, 9th floor
Boston, MA 02114
(617)727-3151

Statutory Reference: Sec 23 Ch. 131

Regulatory Reference: 321 CMR 4.09

Activities Covered: Possession and propagation of (and sale of) aquacultured finfish: (freshwater only)

Process:

Fees: \$15/\$10 renewal

Other Information:

5. **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
(FEDERAL)**

Issuing Agency: Environmental Protection Agency
Water Quality Region 1
JFK Federal Building
Boston, MA 02203
(617)565-3529

Statutory Reference: Clean Water Act

Regulatory Reference:

Activities Covered: All point-source discharges into surface waters.

Process: EPA forms require prior approval from Massachusetts CZM, Water Pollution Control (DWPC) requires analogous permit, also require EPA review.

Fees:

Other Information: Discharge triggers multilevel review from numerous state agencies.

6. **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
(STATE)**

Issuing Agency: Department of Environmental Protection
Water Pollution Control
P.O. Box 116
N. Grafton, MA 01536
(508)792-7470

Statutory Reference: Clean Water Act

Regulatory Reference:

Activities Covered: Surface discharges.

Process: Request for determination if <20,000 lbs./yr coldwater fish, 100,000 lbs./yr warmwater fish. Apply to both DEP and EPA, separate forms.

Fees: \$500

Other Information: Conjunction w/USEPA, Ted Landry (617)565-3508.

7. GROUNDWATER DISCHARGE PERMIT

Issuing Agency: Department of Environmental Protection
Water Pollution Control Division
One Winter Street, 8th floor
Boston, MA 02108
(617)292-5673

Statutory Reference:

Regulatory Reference:

Activities Covered: Discharge of water into the ground (as opposed to surface water)

Process: File application with DWPC

Fees: \$3000

Other information: DWPC does not know what to do with aquaculture, and treats fish water as industrial waste, regardless of water quality.

8. SHELLFISH AQUACULTURE LICENSES

Issuing Agency: Division of Marine Fisheries (DMF)
18 Rt. 6A
Sandwich, MA 02536
(508)888-4043

Statutory Reference: Ch 130, Sec 57-68A

Regulatory Reference:

Activities Covered: Shellfish aquaculture, shellfish propagation, bottom culture, floating gear, licensing, terms, transfer, fees, reporting.

Process: Local shellfish review, conservation review, approval by Selectmen, approval by DMF, Army Corps.

Fees: Up to \$25/year

Other Information: Approval process may be lengthy.

9. FEDERAL CONSISTENCY DETERMINATION

Issuing Agency: Coastal Zone Management
100 Cambridge Street
Boston, MA 02202
(617)727-9530

Statutory Reference: Fed CZM Act

Regulatory Reference:

Activities Covered: Proposed federal activities affecting the State's Coastal Zone Management Program. Activities include direct federal agency actions, federal licenses and permits, and financial assistance to state and local governments.

Process: No separate application required. Federal agency is responsible for notifying this office. For example, with regard to Corps of engineer's permits, the coastal zone consistency review is initiated by the joint permit application and the public notice put out by the Corps.

Fees:

Other Information:

10. ARMY CORPS PERMIT

Issuing Agency: U.S. Army Corps of Engineers
424 Trapelo Road
Waltham, MA 02254-9149
(617)647-8332

Statutory Reference: 401 - Water Quality Act
404 - Dredge and Fill CWA

Regulatory Reference:

Activities Covered: Any and all activity in 1/4" of water or more. Permits are required for the discharge of dredge or fill material into the nation's waters and/or wetlands for construction of pond embankment, flooding of areas, etc.

Process: Shellfish grants - receive letter of permission - requires grant corner bearings for map location. State of Massachusetts and Corps have developed new processing procedures which have streamlined the corps permit system.

Fees: \$0 - \$100

Other Information:

11. NET PEN PERMIT

Issuing Agency: Division of Marine Fisheries
100 Cambridge Street
Boston, MA 02202
(617)727-3193

Statutory Reference:

Regulatory Reference:

Activities: Marine finfish culture.

Process: No written criteria or specifications. Send letter of intent to Director of DMF.

Fees: None

Other Information:

12. MEPA ENVIRONMENTAL NOTIFICATION FORM

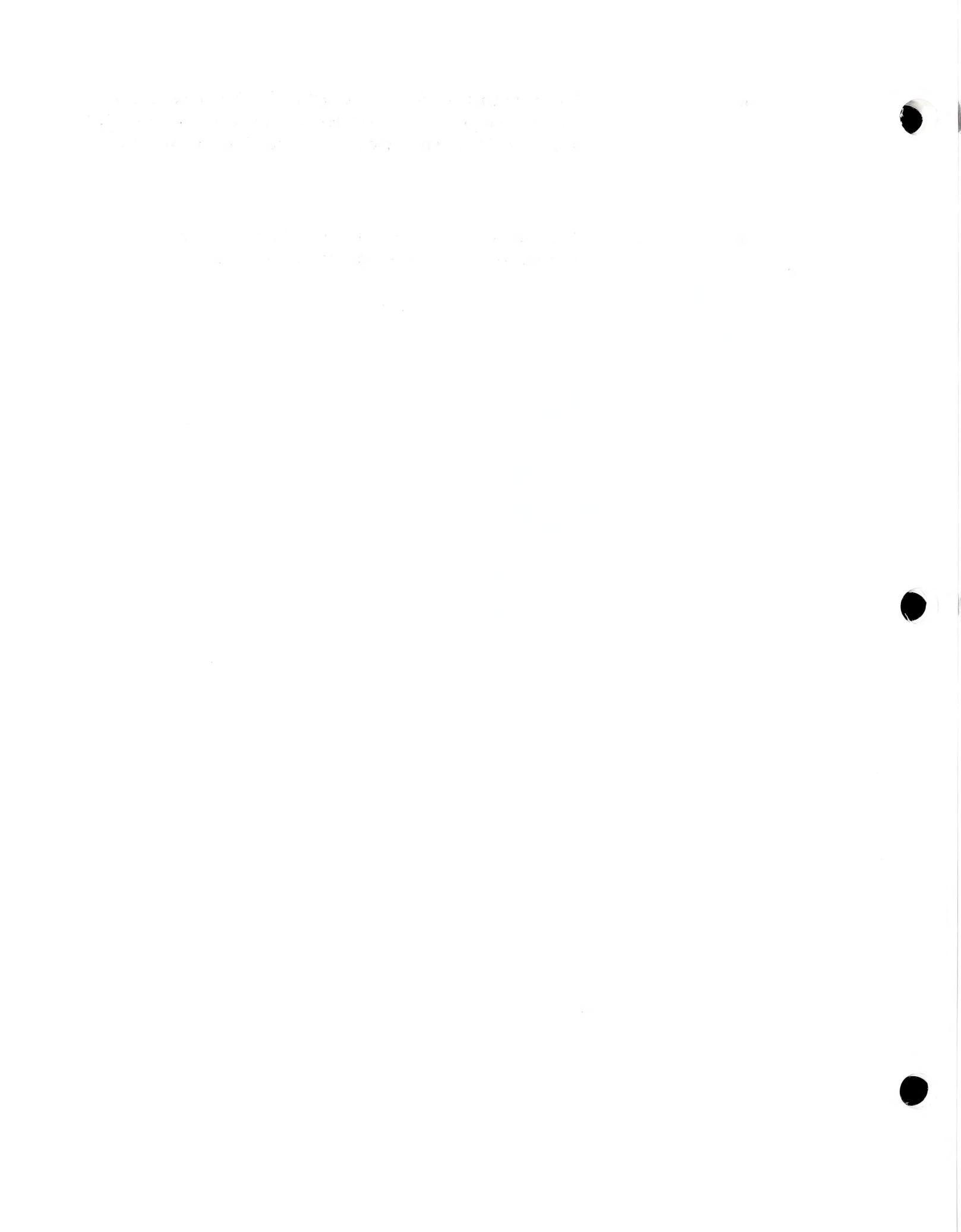
Issuing Agency: Environmental Protection Agency
Environmental Review Office
(617)727-5830

Statutory Reference: 301 CMR 11

Regulatory Reference:

Activities Covered: Any activity in any salt water area, or any other area deemed significant (designated antidegradation areas exist).

Process:	Environmental review conducted by MEPA environmentalist analyst - no permit. Parameters of project can be modified to meet MEPA requirements (although it isn't a permit).
Fees:	
Other Information:	Not a permit, however, it is a mandatory environmental review, which, if denied, prevents the project.



MICHIGAN

1. GAME FISH BREEDER'S LICENSE

Issuing Agency: Department of Natural Resources
Fisheries Division
Stevens T. Mason Building
P.O. Box 30028
Lansing, MI 48909
(517)373-1280

Statutory Reference:

Regulatory Reference:

Activities Covered: Needed to raise any fish defined as "game fish". A separate license is required for each place of business.

Process:

Fees: \$5

Other Information: Duration - Permit valid until December 31 of each year.

2. SALMONID SALE AND TRANSPORTATION PERMIT

Issuing Agency: Department of Natural Resources
State Fish Pathologist
Wolf Lake State Fish Hatchery
34270 C.R. 652, Route 1
Mattawan, MI 49071
(616)668-2132

Statutory Reference:

Regulatory Reference:

Activities Covered: Required to transport or sell live fish or viable eggs of the family Salmonid within the state.

Process:

Fees: None

Other Information: Duration - Permit valid until December 31 of each year.

3. SPECIAL FISH IMPORTATION PERMIT

Issuing Agency: Department of Natural Resources
State Fish Pathologist
Wolf lake State Fish Hatchery
34270 C.R. 652, Route 1
Mattawan, MI 49071
(616)668-2132

Statutory Reference:

Regulatory Reference:

Activities Covered: Needed to import live fish or viable eggs of the family Salmonidae into Michigan. A certificate of fish health from the shipper must be enclosed with the application. A separate permit is required for each importation.

Process:

Fees: None

Other Information: Good for one importation only.

4. WHOLESALE MINNOW DEALER'S LICENSE

Issuing Agency: Department of Natural Resources
Fisheries Division
Stevens T. Mason Building
P.O. Box 30028
Lansing, MI 48909
(517)373-1280

Statutory Reference:

Regulatory Reference:

Activities Covered: Needed to transport and sell minnows, wiggler, and crayfish at wholesale to licensed minnow dealers. A separate license is required for each place of business; a maximum of three vehicles may be used.

Process:

Fees: \$100 (\$500 for non-residents)

Other Information: Must be reviewed annually

5. RETAIL MINNOW DEALER'S LICENSE

Issuing Agency: Department of Natural Resources
Fisheries Division
Stevens T. Mason Building
P.O. Box 30028
Lansing, MI 48909
(517)373-1280

Statutory Reference:

Regulatory Reference:

Activities Covered: Required to buy, transport, and sell minnows, wiggler, and crayfish at retail. A separate license is required for each place of business; only one vehicle may be used.

Process:

Fees: \$25

Other Information: Duration - Permit valid until December 31 of each year.

6. MINNOW CATCHER'S LICENSE

Issuing Agency: Department of Natural Resources
Fisheries Division
Stevens T. Mason Building
P.O. Box 30028
Lansing, MI 48909
(517)373-1280

Statutory Reference:

Regulatory Reference:

Activities Covered: Needed in addition to a wholesale or retail minnow dealers license, to collect minnows, wiggler or crayfish from the wild. Regulations regarding commercial harvest of minnows are in effect-contact DNR for current information.

Process:

Fees: **\$50**

Other Information: **Duration - valid until December 31 of each year.**

7. COMMERCIAL REPTILE AND AMPHIBIAN LICENSE

Issuing Agency: **Department of Natural Resources
Fisheries Division
Stevens T. Mason Building
P.O. Box 30028
Lansing, MI 48909
(517)373-1280**

Statutory Reference:

Regulatory Reference:

Activities Covered: **Required to harvest reptiles or amphibians for commercial purposes, including those on your farm. Only certain species may be harvested and/or sold - contact DNR for current information.**

Process:

Fees: **\$150**

Other Information: **Duration - until March 31 of each year.**

8. FISH STOCKING PERMIT

Issuing Agency: **Department of Natural Resources
District Fisheries Biologist
Steven T. Mason Building
P.O. Box 30028
Lansing, MI 48909
(517)373-1280**

Statutory Reference:

Regulatory Reference:

Activities Covered: **Needed to stock eggs or fish in public waters or any waters connected to public waters.**

Process:

Fees: None

Other Information: Duration - generally for one year.

9. WHOLESALE FISH DEALER'S LICENSE

Issuing Agency: Department of Natural Resources
Fisheries Division
Stevens T. Mason Building
P.O. Box 30028
Lansing, MI 48909
(517)373-1280

Statutory Reference:

Regulatory Reference:

Activities Covered: Needed to sell whole, unprocessed food fish to wholesalers, brokers or retailers such as restaurants or grocery stores. If the fish will be sold directly to individuals for consumption, this license is not needed.

Process:

Fees: \$5

Other Information: Duration - until December 31 of each year.

10. FOOD ESTABLISHMENT LICENSE

Issuing Agency: Department of Agriculture
Food Division
4th Floor, Ottawa Building North
P.O. Box 30017
Lansing, MI 48909
(517)373-1060

Statutory Reference:

Regulatory Reference:

Activities Covered:	Required to process and/or sell any type of processed fish (gutted, smoked, filleted, etc.) to anyone. Periodic inspections of the processing facilities are required. A license application must be submitted at least 30 days prior to beginning processing activities.
Process:	
Fees:	\$15
Other Information:	Duration - until March 31 of each year.
11. <u>PRIVATE PESTICIDE APPLICATOR CERTIFICATION</u>	
Issuing Agency:	Department of Agriculture Pesticide and Plant Pest Management Division 4th Floor, Ottawa Building North P.O. Box 30017 Lansing, MI 48909 (517)373-1087
Statutory Reference:	
Regulatory Reference:	
Activities Covered:	Required to purchase, apply without supervision, or supervise the application of restricted use pesticides for an agricultural purpose. If you will be applying general use pesticides only, for an agricultural purpose only, then this certification is not needed. (To apply either general or restricted use pesticides for non-agricultural purposes or for hire, you will need a commercial pesticide applicator's certificate and license). Successful completion of an exam is required before this certificate will be issued.
Process:	
Fees:	\$10
Other Information:	Duration - until December 31 of each year.

12. AQUATIC NUISANCE CONTROL PERMIT

Issuing Agency: Department of Natural Resources
Land and Water Management Division
Stevens T. Mason Building
P.O. Box 30028
Lansing, MI 48909
(517)373-9244

Statutory Reference:

Regulatory Reference:

Activities Covered: Required to treat any body of water, except "ponds" (less than 10 acres with no outlet), with chemicals for control of aquatic nuisances. Permits for the use of herbicides to control higher aquatic plants are only issued between April 1 and August 20, and applications must be postmarked by August 15.

Process:

Fees: None

Other Information: Duration - generally one year. Note - if fish will be used for human consumption, you will have to abide by the U.S. Food and Drug Administration (FDA) regulations as well.

13. LAND AND WATER CONSTRUCTION PERMIT

Issuing Agency: Department of Natural Resources
Land and Water Management Division
Stevens T. Mason Building
P.O. Box 30028
Lansing, MI 48909
(517)373-9244

Statutory Reference:

Regulatory Reference:

Activities Covered: This permit is required to do the following: a) Dredge, fill, place a structure on, or remove a structure from "bottomland", b) Create, enlarge or diminish any inland lake or stream (this includes your own pond), c) Structurally interfere with the natural flow of an inland lake or stream, d) Connect any natural or artificial waterway with an existing inland lake or stream, or do any work on or in a waterway where the purpose is the ultimate connection with an inland lake or stream or where the water way is within 500 feet of an inland lake or stream, e) Dredge, drain, fill construct or maintain any use or development in a wetland, f) Occupy or place an encroachment in a flood plain, g) Construct, enlarge, repair, remove or abandon any dam, h) Perform most activities in designated high risk areas, environmental areas or flood risk areas of a shoreland. The application for this permit must be accompanied by detailed information regarding the proposed construction, including a site plan, cross-sectional drawings and a location map. An environmental assessment of the impacts of the proposed project may also be required.

Process:

Fees: \$25

Other Information: Duration - generally one year

14. DEPARTMENT OF ARMY PERMIT

Issuing Agency: U.S. Army Corps of Engineers
Detroit District
General Regulatory Branch
P.O. Box 1027
Detroit, MI 48231
(313)226-6827

Statutory Reference:

Regulatory Reference:

Activities Covered: Required for any activity in a navigable waterway or in wetland adjacent to a navigable waterway.

Process: You do not have to apply directly to the Army Corps of Engineers for this permit. Application for a Land and Water Construction Permit will be forwarded to the Army Corps of Engineers by DNR Land and Water Management and will serve as an application for both permits. You must have received both permits before you begin work.

Fees: Free if no public notice is required; If public notice is required; \$10 - individual and \$100 - corporation.

Other Information: Duration - generally, 3 years from the next September 31.

15. SOIL EROSION AND SEDIMENT CONTROL PERMIT

Issuing Agency: Department of Natural Resources
Land and Water Management Division
Stevens T. Mason Building
P.O. Box 30028
Lansing, MI 48909
(517)373-9244
or
Soil Conservation District

Statutory Reference:

Regulatory Reference:

Activities Covered: Required if construction will disturb one or more acres of land or if earth change is within 500 ft. of a lake or stream.

Process:

Fees: Variable, often free to farmers.

Other Information: Duration - variable depending on situation.

16. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

Issuing Agency: Department of Natural Resources
Surface Water Quality
Stevens T. Mason Building
P.O. Box 30028
Lansing, MI 48909
(517)373-1949

Statutory Reference: Clean Water Act

Regulatory Reference:

Activities Covered: NPDES Permit, technically, this is required for any person or business discharging waste or wastewater onto the ground or into the waters of the state. Currently, Michigan is following recommended Federal Guidelines, which require permits for concentrated aquatic animal production facilities that contain, grow, or hold aquatic animals in either of the following categories:
1) Coldwater fish species in ponds, raceways, or similar structures which discharge at least 30 days/year and produce 20,000 pounds of fish, or feed a maximum of 5,000 pounds of feed during any calendar month. 2) Warmwater fish species in ponds, raceways, or similar structures which discharge at least 30 days/year, except runoff, and produce over 100,000 pounds of fish yearly.

Process: Application must be submitted 180 days prior to start up.

Fees: None

Other Information: Duration - generally 5 years.

MINNESOTA

1. AQUATIC FARM LICENSE

Issuing Agency: Department of Natural Resources
Fisheries and Wildlife Division
MN DNR Box 12
500 Lafayette Road
St. Paul, MN 55155
(612)296-3325 FAX (612)297-4916

Statutory Reference: Minnesota Statute 17.4984

Regulatory Reference:

Activities Covered: Maintaining fish as private property, raising of fish for commercial sales.

Process: Contact DNR to generate an application form; Submit application with required fees; DNR on-site inspections; License issued.

Fees: \$275, \$55, \$27.50 depending on production levels and type of operation.

Other Information:

2. WATER APPROPRIATION PERMIT

Issuing Agency: Department of Natural Resources
Waters Division
500 Lafayette Road
St. Paul, MN 55155
(612)296-4800 FAX (612)296-0445

Statutory Reference: Minnesota Statute 105.41

Regulatory Reference:

Activities Covered: Water appropriation/pumping of ground water or surface water or diversion of spring water.

Process: Obtain application form; Submit application; DNR Waters on-site inspection including proper measuring device installed; Permit issued.

Fees: \$50 minimum depending on volume of pumping.

Other Information:

3. **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT**

Issuing Agency: Pollution Control Agency/Water Quality Division
520 Lafayette Road
St. Paul, MN 55155
(612)297-1832 FAX (612)297-8683

Statutory Reference:

Regulatory Reference: Minnesota Rules 7050.0216

Activities Covered: Discharge of fish waste water.

Process: Facility requiring permits submit application at least 180 days in advance of operation -- Standard NPDES permit process.

Fees: \$85 application fee plus \$1230 annual fee.

Other Information:

4. **FISH HEALTH INSPECTION**

Issuing Agency: Department of Natural Resources
Fisheries and Wildlife Division
MN DNR Box 25
500 Lafayette Road
St. Paul, MN 55155
(612)296-3043 FAX (612)297-1811

Statutory Reference: Minnesota Statute 17.4991

Regulatory Reference:

Activities Covered: Fish Health Inspection

Process: Farm initiation of inspection; Samples taken and processed in the Lab; Fees paid; Certification issued.

Fees: \$20 plus \$80 per lot.

Other Information:

5. IMPORTATION, TRANSPORTATION AND STOCKING PERMIT

Issuing Agency: Department of Natural Resources
Fisheries and Wildlife Division
MN DNR Box 12
500 Lafayette Road
St. Paul, MN 55155
(612)296-3325 FAX (612)297-4916

Statutory Reference: Minnesota Statute 17.4985, 17.4986, 17.4987

Regulatory Reference:

Activities Covered: Fish Health Certification; Compliance with laws and regulations governing exotics; Stocking private and public waters in accordance with DNR management plans.

Process: Request application; Application for permit; DNR review of application; Issuance of permit.

Fees: None

Other Information:

6. WHOLESALE FOOD PROCESSOR OR MANUFACTURING LICENSE (FISH PROCESSING/SMOKING PERMIT)

Issuing Agency: Department of Agriculture/Food Inspection Division
90 West Plato Blvd.
St. Paul, MN 55107
(612)296-2629 FAX (612)297-5637

Statutory Reference:

Regulatory Reference: Minnesota Rules 1545.2050-1545.3350

Activities Covered: Processing fish for food market and smoking fish for food market.

Process: Application to the department; Food inspector inspects the facility; Issuance of permit

Fees: \$275, volume of sales dependent thereafter.

Other Information:

7. GENERAL PERMIT FOR LAND APPLICATION OF AQUACULTURE MANURE AND WASTEWATER

Issuing Agency: Pollution Control Agency/Water Quality Division
520 Lafayette Road
St. Paul, MN 55155
(612)297-1832 FAX (612)297-8683

Statutory Reference: Minnesota Statutes Chapter 115.03
Minnesota Rules Chapter 7001.0210

Regulatory Reference:

Activities Covered: Aquaculture manure storage and land application.

Process: Grower sends in permit application with manure management plan; MPCA staff review and approve or deny.

Fees: \$260/year.

Other Information:

MISSISSIPPI

1. DEPARTMENT OF THE ARMY PERMIT

Issuing Agency: U.S. Army Corps of Engineers
Attn: Regulatory Branch
P.O. Box 2288
Mobile, AL 36628-0001
(205)690-2658 FAX (205)694-4264

Statutory Reference: Section 10 of River and Harbor Act of 1899 (33 USC 403)

Regulatory Reference: Sect. 103 Marine Protection and Sanctuaries Act of 1972 (33 USC 1413), Sect. 404 Clean Water Act (33 USC 1344).

Activities Covered: Working navigable waters of the U.S., filling in waters of the U.S. and ocean disposal of dredged material.

Process: Public Interest Review.

Fees: 0 - Government, \$10 private non-commercial, \$100 commercial.

Other Information:

2. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

Issuing Agency: Department of Environmental Quality
Office of Pollution Control
P. O. Box 10385
Jackson, MS 39289-0385
(601)961-5171 FAX (601)354-6612

Statutory Reference: Clean Water Act

Regulatory Reference: 40 CFR Part 122.24

Activities Covered: Concentrated aquatic animal production facilities

Process: Permits issued as follows: Submit application; Draft of permit is developed; Draft permit goes to a 30-day public notice; Permit Board decides to issue or deny permit.

Fees: None

Other Information: NPDES may not be required depending upon discharge characteristics.

3. CULTIVATION/MARKETING PERMIT FOR AQUACULTURE ACTIVITIES

Issuing Agency: Department of Agriculture and Commerce
P.O. Box 1609
Jackson, MS 39215-1609
(601)354-6720 FAX (601)354-6001

Statutory Reference: Section 79-22-1 - 79-22-33

Regulatory Reference: Aquaculture Act of 1988

Activities Covered: Growing, farming, cultivating, harvesting or marketing cultured aquatic products (plants or animals) in marine or freshwater.

Process: Submit application for review; Inspection of facility raising non-native species; Issue permit upon inspection.

Fees: \$100

Other Information:

4. PERMIT FOR TAKING OF GAME FISH FOR BROOD STOCK
REVIEW AGENCY FOR CULTIVATION/MARKETING PERMIT

Issuing Agency: Department of Wildlife, Fisheries and Parks
P.O. Box 451
Jackson, MS 39205
(601)362-9212

Statutory Reference: 79-22-1 - 79-22-33

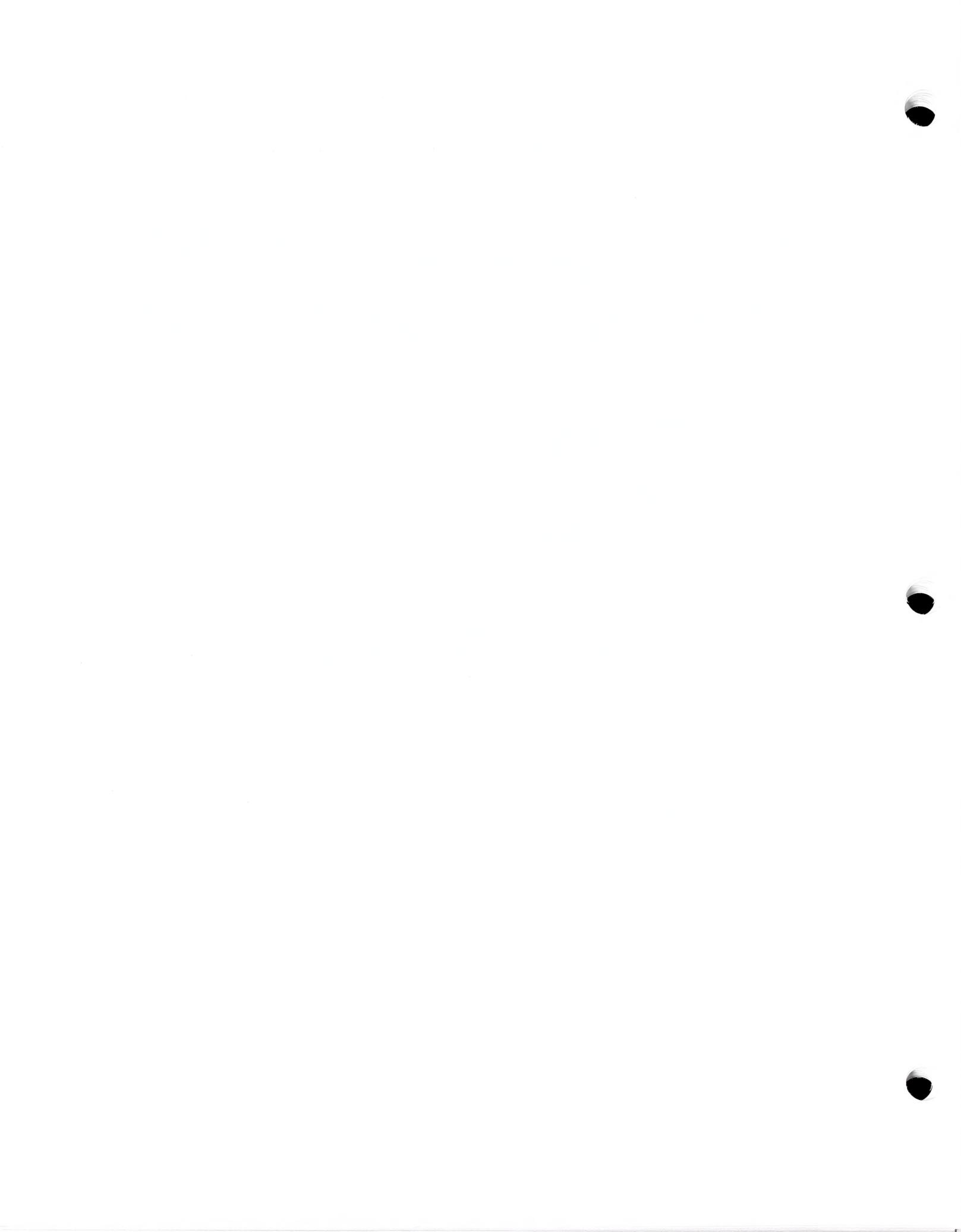
Regulatory Reference: Aquaculture Act of 1988

Activities Covered: Issuing permits, promulgating regulations for game fish used for brood stock, advise the Department of Agriculture and Commerce in issuing cultivation/marketing permits may inspect operations licensed by a cultivation/marketing permit.

Process: Obtain a temporary variance permit from the Department of Wildlife, Fisheries and Parks, provide compensation for each fish taken for brood stock as established by the Department and outlined in the permit shall not sell or transport out of the State brood fish taken from State waters.

Fees:

Other Information:



MISSOURI

1. PERMIT FOR IMPORTATION OF SALMONID FISHES

Issuing Agency: Department of Conservation/Fisheries
Springfield Fish Disease Diagnostic Laboratory
2630 North Mayfair Avenue
Springfield, MO 65803
(417)895-6880 FAX (417)895-6910

Statutory Reference: Missouri Revised Statutes 252.040

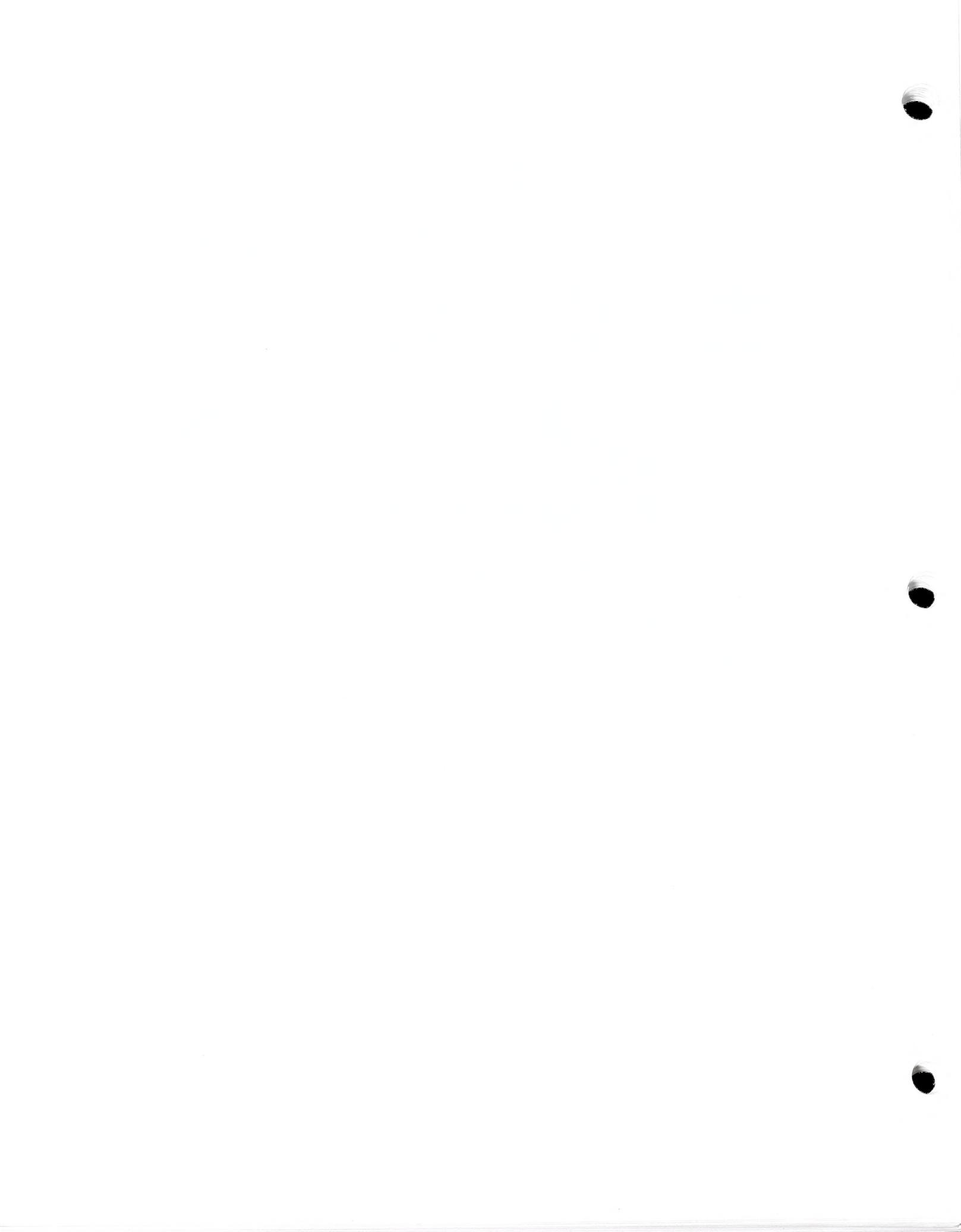
Regulatory Reference: Wildlife Code of Missouri, 3CSR10-4.134

Activities Covered: Permits are required to import live fish or viable eggs of the family Salmonidae (trouts, char, salmon) into the State of Missouri.

Process: Anyone wishing to import live fish or viable eggs of the family Salmonidae should request an "Application for Importation of Salmonid Fishes" from personnel at the address listed above. Instructions for processing the application appear on the application.

Fees: None

Other Information:



MONTANA

1. IMPORT PERMIT (87-5-701 - 87-5-721)

FISH DISEASE CERTIFICATION (87-3-209 - 87-3-227)

Issuing Agency: Department of Fish, Wildlife, & Parks
Fish, Wildlife, & Parks Building
1420 East Sixth Ave.
Helena, MT 59629-0701
(406)444-5686

Statutory Reference: 87-3-209 thru 87-3-227

Regulatory Reference: Code of Montana Regulations Annotated

Activities Covered: Fish disease, designated pathogens considered dangerous, permit procedures

Process: Outlined in Administrative Rules of Montana 12-7-501 thru 12-7-507; 12-5-505 outlines permit application/procedures.

Fees: None

Other Information:

2. COMMERCIAL FISH POND LICENSE

Issuing Agency: Department of Fish, Wildlife, & Parks
Fish, Wildlife, & Parks Building
1420 East Sixth Ave.
Helena, MT 59629-0701
(406)444-5686

Statutory Reference: 87-4-603 thru 87-4-607

Regulatory Reference: Code of Montana Regulations Annotated

Activities Covered:

Process: Submit request to above department.

Fees: Initial permit free of charge; \$500 surety bond to ensure fish are not sold or spawned from any public waters or violate conditions of license.

Other Information:

3. FEDERAL RIVERS AND HARBORS ACT (FORM #4345)

Issuing Agency: **Western Montana:**
 U.S. Army Corp of Engineers
 1520 East Sixth Ave.
 Helena, MT 59620
 (406)444-6670

Eastern Montana:
 U.S. Army Corps of Engineers
 Regulatory Office, Room 218
 Federal Building and Post Office
 2602 1st Avenue North
 Billings, MT 59101
 (406)657-6891

Statutory Reference:

Regulatory Reference:

Activities Covered: The construction of any structure in or over any navigable water of the United States, the excavation from or depositing of material in such waters, or the accomplishment of any other work affecting the course, location, condition, or capacity of such waters. Navigable waters in Montana are the Missouri River from Three Forks downstream to the Montana-North Dakota border, the Yellowstone river from the Canadian border downstream to Jennings, Montana.

Process: Applications submitted to appropriate Corps of Engineers' office for review. Project approval may take 60-90 days.

Fees: Varies from \$10 for private individuals to \$100 for commercial applicants.

Other Information:

4. FEDERAL REGISTER; TITLE 50

Issuing Agency: Department of Fish, Wildlife, & Parks
Fish, Wildlife, & Parks Building
1420 East Sixth Ave.
Helena, MT 59629-0701
(406)444-5686

Statutory Reference: CFR Title 50

Regulatory Reference:

Activities Covered: Collection and interstate transport of wildlife and fish.

Process: State/territory laws and regulations pertaining to collection of wildlife and fish may be further enforced through the Federal Title 50 Lacy Act.

Fees:

Other Information: Violations of State statutes which may be considered a misdemeanor offense can become a felony under Federal law.

5. CERTIFICATE OF WATER RIGHT (MONTANA WATER USE ACT)

Issuing Agency: Water Rights Bureau
Department of Natural Resources & Conservation
1520 E. Sixth Ave.
Helena, MT 59620
(406)444-6610

Statutory Reference: 85-2-301-852-308

Regulatory Reference: Code of Montana Regulations Annotated

Activities Covered: Beneficial water use permit before commencing to construct new or additional diversion, withdrawal, impoundment, or distribution works for any surface water or groundwater of 100 gallons per minute or more.

Process: Water right application forms are available at all 56 County Clerk and Recorder's office and at the nine Water Rights Field Offices located in Miles City, Billings, Bozeman, Helena, Glasgow, Lewistown, Missoula, Kalispell, and Havre.

Fees: Filing fee plus \$ 1 per acre - foot of ground water appropriated. Application fees range from \$50 to \$250, depending on the volume of water requested for appropriation, and whether the use is consumptive or nonconsumptive.

Other Information:

6. STREAM BED AND LAND PRESERVATION ACT PERMIT

Issuing Agency: Department of Natural Resources & Conservation
1520 E. Sixth Ave.
Helena, MT 59620
(406)444-6667

Statutory Reference: 310 Permit

Regulatory Reference:

Activities Covered: Any activity that physically alters or modifies the bed and banks of a stream.

Process: Contact the conservation district office to obtain a permit application prior to any activity in or near a stream. After submission of an application to the conservation district office, district supervisors must determine within five days of their monthly meeting if the proposed activity requires a 310 permit. If a permit is required, a team composed of a district supervisor; a Department of Fish, Wildlife and Parks biologist; and the landowner conduct a site inspection. The supervisors have 60 days from the date of application to approve or deny the permit.

Fees: None

Other Information:

7. STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM

Issuing Agency: Water Quality Bureau
Department of Health & Environmental Sciences
A-206 Cogswell Building
Helena, MT 59620
(406) 444-2406

Statutory Reference: 75-5-401 - 75-5-402

Regulatory Reference: Code of Montana Regulations Annotated

Activities Covered: Applies to all discharge to surface or groundwater, including construction dewatering discharges and placer mining.

Process: Contact above department.

Fees:

Other Information: Permit applies to certain locations and activities only.

8. STREAM PROTECTION ACT PERMIT

Issuing Agency: Habitat Protection Bureau
Fisheries Division
Department of Fish, Wildlife and Parks
1420 East Sixth Avenue
Helena, MT 59620
(406)444-2449

Statutory Reference:

Regulatory Reference:

Activities Covered: Any project including the construction of new facilities or the modification, operation, and maintenance of an existing facility which may affect the natural existing shape and form of any stream or its banks or tributaries.

Process: Anyone planning a project must submit a Notice of Construction (application) to the Dept. of Fish, Wildlife and Parks, which has up to 60 days to review the application, perform an on-site investigation, and approve, modify, or deny the application.

Fees: None

Other Information:

9. FLOODPLAIN AND FLOODWAY MANAGEMENT ACT (FLOODPLAIN DEVELOPMENT PERMIT)

Issuing Agency: **Floodplain Management Section**
Department of Natural Resources & Conservation
1520 E. Sixth Ave.
Helena, MT 59620
(406)444-6667

Statutory Reference:

Regulatory Reference:

Activities Covered: New construction including, but not limited to, placement of fill, roads, bridges, culverts, transmission lines, irrigation facilities, storage of equipment or materials, excavation, and new construction of or additions to mobile homes and residential and commercial buildings.

Process: Permit applications are available from the local floodplain coordinator or from the Department of Natural Resources and Conservation.

Fees: Application fees are established by the local government and vary widely throughout the state.

Other Information:

10. SHORT-TERM EXEMPTION FROM MONTANA'S SURFACE WATER QUALITY STANDARDS (3A AUTHORIZATION)

Issuing Agency: Water Quality Bureau
Department of Health and Environmental Sciences
A-206 Cogswell Building
Helena, MT 59620
(406)444-2406

Statutory Reference:

Regulatory Reference:

Activities Covered: Any activity in any state water that will cause unavoidable violations of water quality standards.

Process: A 3A Authorization must be obtained prior to initiating a project. The Authorization may be obtained from the Water Quality Bureau, or may be waived by the Department of Fish, Wildlife and Parks during its review process under the Natural Streambed and Land Preservation Act (310 permit) or the Stream Protection Act (124 permit). Individual applications submitted to the Water Quality Bureau are normally processed within 14 days. Authorizations waived under the 310 or 124 permit process correspond to the time frame under each permit system, usually 30 - 60 days.

Fees: None

Other Information:

11. LAND-USE LICENSE OR EASEMENT ON NAVIGABLE WATERS

Issuing Agency: Department of State Lands
Surface Management Bureau
1625 Eleventh Avenue
Helena, MT 59620
(406)444-2074

Statutory Reference:

Regulatory Reference:

Activities Covered: The construction or placement of a structure or improvement on lands below the low water mark of navigable streams. Customary and historic maintenance and repair of existing irrigation facilities or activities that do not alter, modify, or change the existing shape or impact the potential navigability of the waterway are exempt.

Process: A DSL land use or easement application must be submitted to the appropriate Area Land Office. The Area Office staff will review the application, conduct a field investigation if necessary, and file an environmental action checklist. A written report and recommendation is then submitted to the Resource Development Bureau in Helena, which makes the final determination and recommends stipulations as necessary.

Fees: A Land-Use license can be approved and issued within 14 days upon payment of the \$25 application fee and the one-time rental of \$100 per acre. The license may be held for a maximum period of 20 years, with the ability to renew for an additional 20 years with the payment of just the \$25 application fee. An easement requires approval from the Board of Land Commissioners which may take up to 45 days. The easement application fee is \$50 with an additional easement rental that varies based upon the appraised value of the property.

Other Information:

12. FEDERAL CLEAN WATER ACT (404 PERMIT)

Issuing Agency: Western Montana:
U.S. Army Corp of Engineers
1520 East Sixth Ave.
Helena, MT 59620
(406)444-6670

Eastern Montana:
U.S. Army Corps of Engineers
Regulatory Office, Room 218
Federal Building and Post Office
2602 1st Avenue North
Billings, MT 59101
(406)657-6891

Statutory Reference:

Regulatory Reference:

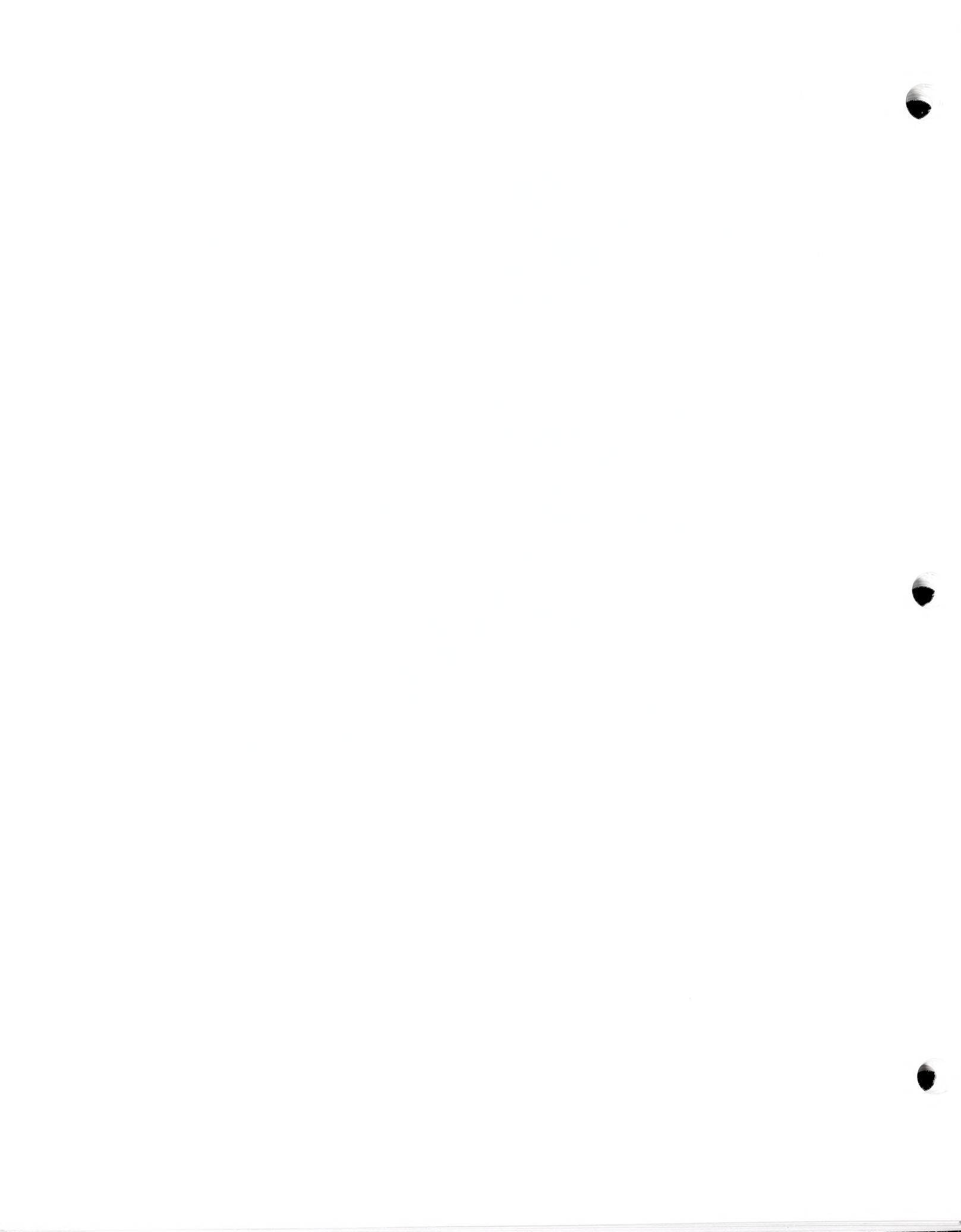
Activities Covered: Any activity that will result in the discharge of dredged or placement of fill material into waters of the United States, including their adjacent wetlands.

Process: Submit application to appropriate Corps regulatory office for review. Permit authorization varies depending on size and scope of project. Activities that meet the conditions for a Nationwide Permit may be approved in a week or less by the state Corps office. Individual and General permits are processed individually and require a public review period. Permit approval may take 60 to 90 days.

Fees: Vary from \$10 private individuals to \$100 commercial.

Other Information: **OTHER LAWS THAT MAY APPLY, DEPENDING UPON LOCATION AND ACTIVITY.**

- Shoreline Protection Act
- Lakeshore Protection Act
- General Mining Laws/Small Miner's Placer and Dredge Operations
- County Building and Septic System Installation Codes And Regulations



NEBRASKA

1. COMMERCIAL FISH CULTURE/PRIVATE FISH CULTURE

Issuing Agency: Game and Parks Commission
2200 N 33rd St.
Lincoln, NE 68503
(402)471-0641 FAX (402) 471-5528

Statutory Reference: Article 7 Nebraska Statutes 37-702 thru 37-712

Regulatory Reference: Nebraska Administriate Code Title 163 Chapter 2

Activities Covered: The culture and propagation of game fish.

Process:

Fees: License \$50

Other Information:

2. WATER DISCHARGE PERMIT

Issuing Agency: Department of Environmental Quality
Permits and Compliance Section
Box 98922
Lincoln, NE 68509
(402)471-4209 FAX (402)471-2909

Statutory Reference: Nebraska Administriate Code Title 119

Regulatory Reference:

Activities Covered: Any water discharge which affects public water ways, in association with aquaculture.

Process:

Fees: None

Other Information:

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NEVADA

1. TRIPLOID GRASS CARP USE PERMIT

Issuing Agency: Division of Wildlife
P.O. Box 10678
Reno, NV 89520
(702)688-1500 FAX (702)688-1595

Statutory Reference: NRS 503.597, 501.379, 503.590, 504.245, 504.295

Regulatory Reference: Chapters 503 and 504 of the Nevada Administrative Code

Activities Covered: Possession of Triploid Grass Carp.

Process: Application, review, Memorandum of Understanding,
Issuance of permit for Certified Triploid fish only.

Fees: None

Other Information: Fish used for aquatic vegetation control in Golf Course
ponds and private ponds.

2. COMMERCIAL WILDLIFE CULTURING FACILITY

Issuing Agency: Division of Wildlife
P.O. Box 10678
Reno, NV 89520
(702)688-1500 FAX (702)688-1595

Statutory Reference: NRS 504.295, 502.240, 504.245, 501.379, 501.381, 503.590,
503.597

Regulatory Reference: Chapters 503 and 504 of the Nevada Administrative Code

Activities Covered: For the propagation, culture, maintenance and commercial
sale of gamefish and other aquatic life excluding aquatic
plants.

Process: Permittee submits application; proposal and facility are
evaluated; permit is issued.

Fees: \$100, renewable annually

Other Information: Little commercial activity in Nevada due to limited water
resources.

3. IMPORTATION PERMIT

Issuing Agency: Division of Wildlife
P.O. Box 10678
Reno, NV 89520
(702)688-1500 FAX (702)688-1595

Statutory Reference: NRS 503.597

Regulatory Reference: NAC 503.110 thru 503.140, inclusive; 503.515; 503.530; 503.535.

Activities Covered: Issued to persons who wish to receive, bring or have brought or shipped into State of Nevada any aquatic life, wildlife, spawn, etc.

Process: Applicant submits application, Department evaluates and issues or denies.

Fees: \$5 - good for multiple shipments if the same species from the same point of origin and to the same destination.

Other Information:

4. NON - COMMERCIAL CULTURING FACILITY

Issuing Agency: Division of Wildlife
P.O. Box 10678
Reno, NV 89520
(702)688-1500 FAX (702)688-1595

Statutory Reference: NRS 504.295, 502.240, 501.379, 501.381, 503.590, 503.597, 504.245

Regulatory Reference: Chapters 503 and 504 of Nevada Administrative Code

Activities Covered: Private individual culturing aquatic animal species (other than aquaria) and does not sell fish commercially. For the possession, cultivation, and propagation of wildlife.

Process: Submit application; Division evaluation - issuance.

Fees: \$5 renewable annually

Other Information: These permits are issued mostly to individuals who wish to keep live game fish in their possession in backyard ponds.

5. **EFFLUENT DISCHARGE PERMIT**

Issuing Agency: Division of Environmental Protection
Capitol Complex
333 W. Nye Lane
Carson City, NV 89710
(702)687-4670 FAX (702)885-0868

Statutory Reference: NRS Chapter 445 - Nevada Water Pollution Control Law

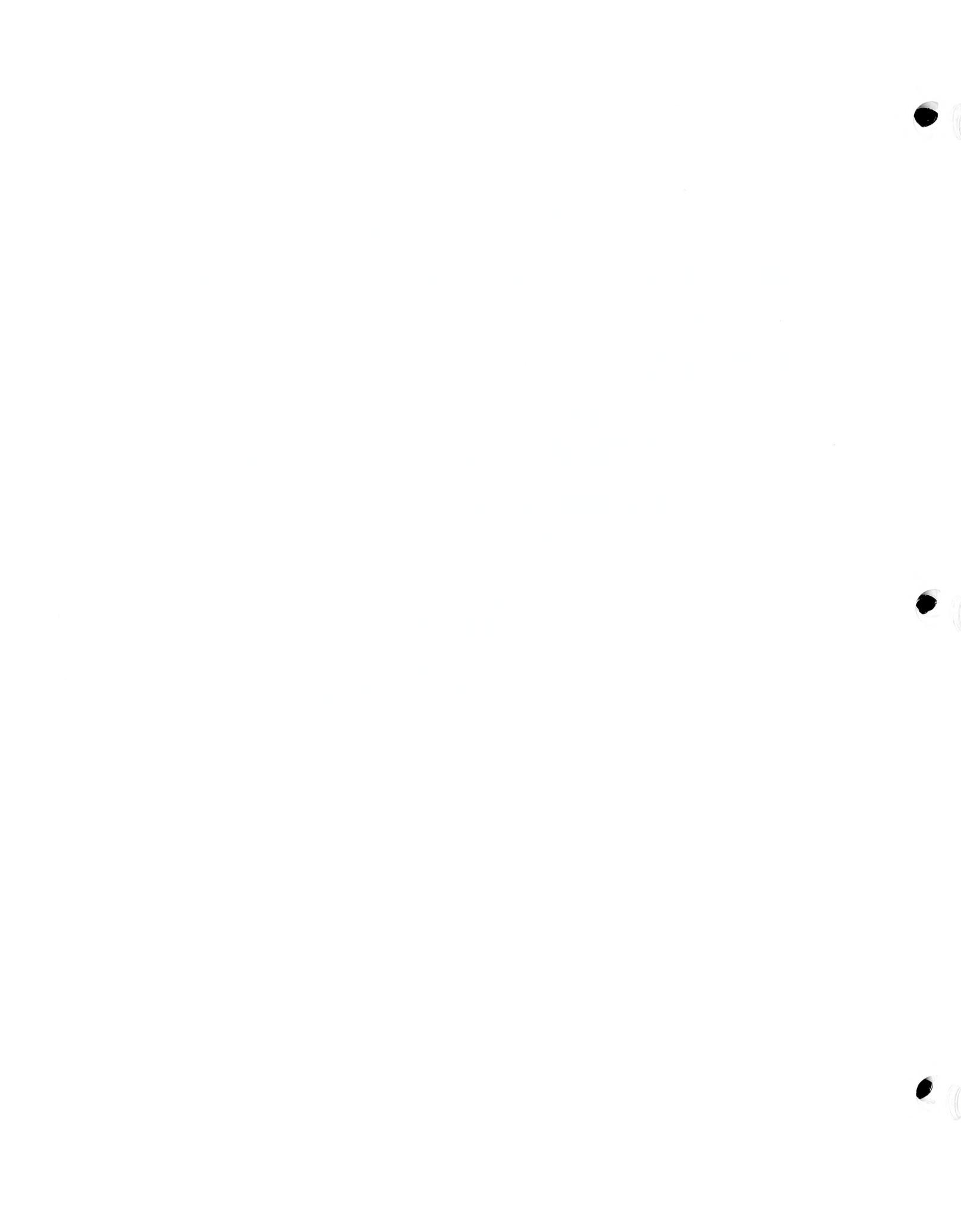
Regulatory Reference:

Activities Covered: Authorizes facility discharge into waters of the State.

Process: Application, review, public notice, issuance of permit.

Fees: Depends on number of discharge points and quantity.

Other Information: Requires periodic monitoring and sampling.



NEW HAMPSHIRE

**1. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM EPA
DISCHARGE PERMIT**

Issuing Agency: U.S. Environmental Protection Agency - Permits Branch
 P.O. Box 8127
 Boston, MA 02203
 (617)565-3420

Statutory Reference: Clean Water Act

Regulatory Reference:

Activities Covered:

Process: Quarterly reports

Fees:

Other Information: Required if production exceeds 20,000 pounds.

2. PERMIT TO IMPORT

Issuing Agency: Fish and Game Department
 2 Hazen Drive
 Concord, NH 03301
 (603)271-2501 FAX (603)271-1438

Statutory Reference: New Hampshire Fish & Game Laws

Regulatory Reference: FIS 800

Activities Covered: Importation of fish from out of state.

Process: "Certified disease free" prior to import. Species and source identified. Some species and locations are not permitted.

Fees: \$15

Other Information:

3. PERMIT TO RELEASE

Issuing Agency: Fish and Game Department
2 Hazen Drive
Concord, NH 03301
(603)271-2501 FAX (603)271-1438

Statutory Reference: New Hampshire Fish & Game Laws

Regulatory Reference: FIS 800

Activities Covered: Release of Fish into the waters of the State.

Process: Description of species, point of origin and point of release to identify any potential problems.

Fees: \$10

Other Information:

4. AQUACULTURE PERMIT

Issuing Agency: Fish and Game Department
2 Hazen Drive
Concord, NH 03301
(603)271-2501 FAX (603)271-1438

Statutory Reference: New Hampshire Fish & Game Laws RSA

Regulatory Reference: FIS 800

Activities Covered: Possession, and use of aquatic species, propagation and sale.

Process: Description of operation; if necessary, site visit or public hearing.

Fees: \$100 commercial, \$20 non - commercial

Other Information: Marine or freshwater commercial, freshwater non-commercial

NEW JERSEY

1. SUBMERGED LANDS PERMIT

Issuing Agency: Department of Environmental Protection and Energy
CN 401
501 East State St., 2nd Floor
Trenton, NJ 08625-0401
(609)633-2289

Statutory Reference: N.J.S.A. 50:1, 50:2, 50:3, 50:5

Regulatory Reference: N.J.A.C. 7:12, 7:25

Activities Covered: Leasing of submerged lands, removal of shellfish from leased condemned lands, seasons for taking oysters and other functions generally related to leasing.

Process: Prior to planting any oysters in State waters permission must be obtained from DEPE, Shellfisheries Council.

Fees:

Other Information: Check with local government for determination of zoning restrictions. Water column leases are not provided by the State but may be controlled by regions (eg. Pinelands Protection Act, N.J.S.A. 13:18A-1)

2. SOIL EROSION AND SEDIMENT CONTROL

Issuing Agency: Soil Conservation Districts

Bergen	201-261-4407	Hunterdon	908-782-3915
Burlington	609-267-7410	Mercer	609-586-9603
Camden	609-767-6299	Morris	201-285-2953
Cape-Atlantic	609-625-7360	Ocean	609-971-7002
Cumberland	609-451-1358	Salem	609-769-1124
Freehold	908-446-2300	Somerset-Union	908-526-2701
Gloucester	609-589-5250	Sussex	201-579-5074
Hudson,	201-239-1886	Warren	908-852-2579
Essex & Passaic			

Department of Environmental Protection and Energy
Division of Coastal Resources
CN 401
501 East State St., 2nd Floor
Trenton, NJ 08625-0401
(609)633-2289

Statutory Reference: N.J.S.A. 4:24-39, 12:3-1, 13:1B-10, 50:3-16.2, 58:4-1

Regulatory Reference: N.J.A.C. 2:, 7:, 16:

Activities Covered: Soil Conservation District requires approval for construction projects that disturbs more than 5000 sq. ft. of surface area. Agriculture is exempt but aquaculture may not be included in exemption.

Process: Contact local Soil Conservation District prior to construction to determine if approval is needed.

Fees:

Other Information:

3. WETLANDS PERMITS

Issuing Agency: Department of Environmental Protection and Energy
CN 401
501 East State St., 2nd Floor
Trenton, NJ 08625-0401
(609)633-2289

Statutory Reference: N.J.S.A. 13:9A, 13:9B

Regulatory Reference: N.J.A.C. 7:, 7A:, 7E

Activities Covered: Projects that affect coastal and freshwater wetlands including but not limited to excavation, drainage, filling, placing of pilings and other obstructions.

Process: Contact DEPE for determination of wetland areas and possible permit requirements. Issuance of permits subject to review by USEPA and Army Corps of Engineers.

Fees:

Other Information: A limited State wide general permit provides for activities such as maintenance of existing structures, etc.

4. COASTAL ZONE MANAGEMENT/COASTAL AREA FACILITY REVIEW ACT

Issuing Agency: Department of Environmental Protection and Energy
Division of Coastal Resources
CN 401
501 East State St., 2nd Floor
Trenton, NJ 08625-0401
(609)633-2289

Statutory Reference: N.J.S.A. 12:, 13:

Regulatory Reference: N.J.A.C. 7:

Activities Covered: Construction within a coastal area of New Jersey including facilities for food and fish processing and waterfront development projects including docks, and other structures adjacent to navigable waterways or streams.

Process: Application should be made to DEPE, Division of Coastal Resources. DEPE will notify Army Corps of Engineers.

Fees:

Other Information: Other factors affecting issuance of permits may include Endangered Species and Habitat Loss.

5. WATER ALLOCATION (DIVERSION) AND DISCHARGE PERMIT

Issuing Agency: Department of Environmental Protection and Energy
Division of Coastal Resources
CN 401
501 East State St., 2nd Floor
Trenton, NJ 08625-0401
(609)633-2289

Statutory Reference: N.J.S.A. 13:, 32:, 58:

Regulatory Reference: N.J.A.C. 7:

Activities Covered: Intake, diversion or discharge from or into ground and surface waters of the State.

Process: Application must be made to DEPE. Permits are issued not to exceed 5 years.

Fees:	No fee is charged, however nominal costs of processing, monitoring and administration of permit is the responsibility of the applicant.
Other Information:	In addition to DEPE applicants should refer to interstate agreements pertaining to areas such as the Delaware River Basin.
6. <u>CULTURE AND HARVESTING OF AQUATIC PRODUCTS</u>	
Issuing Agency:	<p>Department of Environmental Protection and Energy Division of Coastal Resources CN 401 501 East State St., 2nd Floor Trenton, NJ 08625-0401 (609)633-2289</p> <p>Natural and Historic Resources Division of Fish, Game and Wildlife Marine Fisheries Council Station Plaza 5 501 East State St., Floor 3 Trenton, NJ 08625-0400 (609)633-2408</p>
Statutory Reference:	N.J.S.A. 13:, 23:, 50:
Regulatory Reference:	N.J.A.C. 7:12, 7:25
Activities Covered:	Possession, transportation and harvesting of finfish and shellfish from aquaculture facilities.
Process:	DEPE should be contacted for proper licenses dealing with shellfish aquaculture.
Fees:	
Other Information:	The aquaculture task force is currently developing exceptions to current laws restricting possession of protected species for aquaculture purposes.

7. PROCESSING AND MARKETING PERMIT/LICENSE

Issuing Agency: Department of Health
 John Fitch Plaza
 Trenton, NJ 08625
 (609)588-3123

Department of Environmental Protection and Energy
CN 423
401 East State St., 3rd Floor
Trenton, NJ 08625-0423
(609)984-0857

Statutory Reference: N.J.S.A. 13:, 24:, 50:, 58:

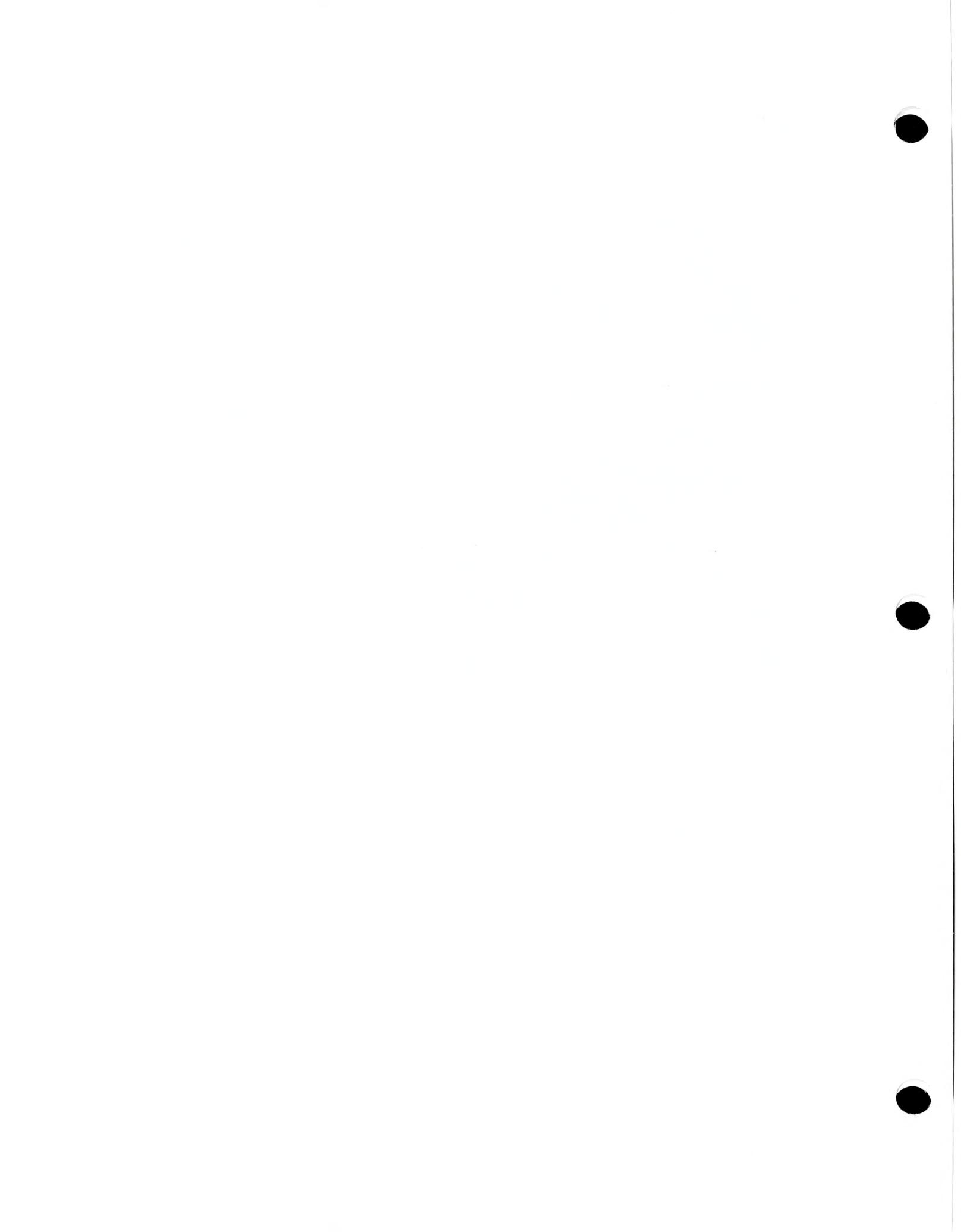
Regulatory Reference: N.J.A.C. 7:, 8:

Activities Covered: Production, preparation, manufacturing, parking, storage, transportation or handling of food products.

Process: Contact both the Health Department and DEPE for appropriate licenses.

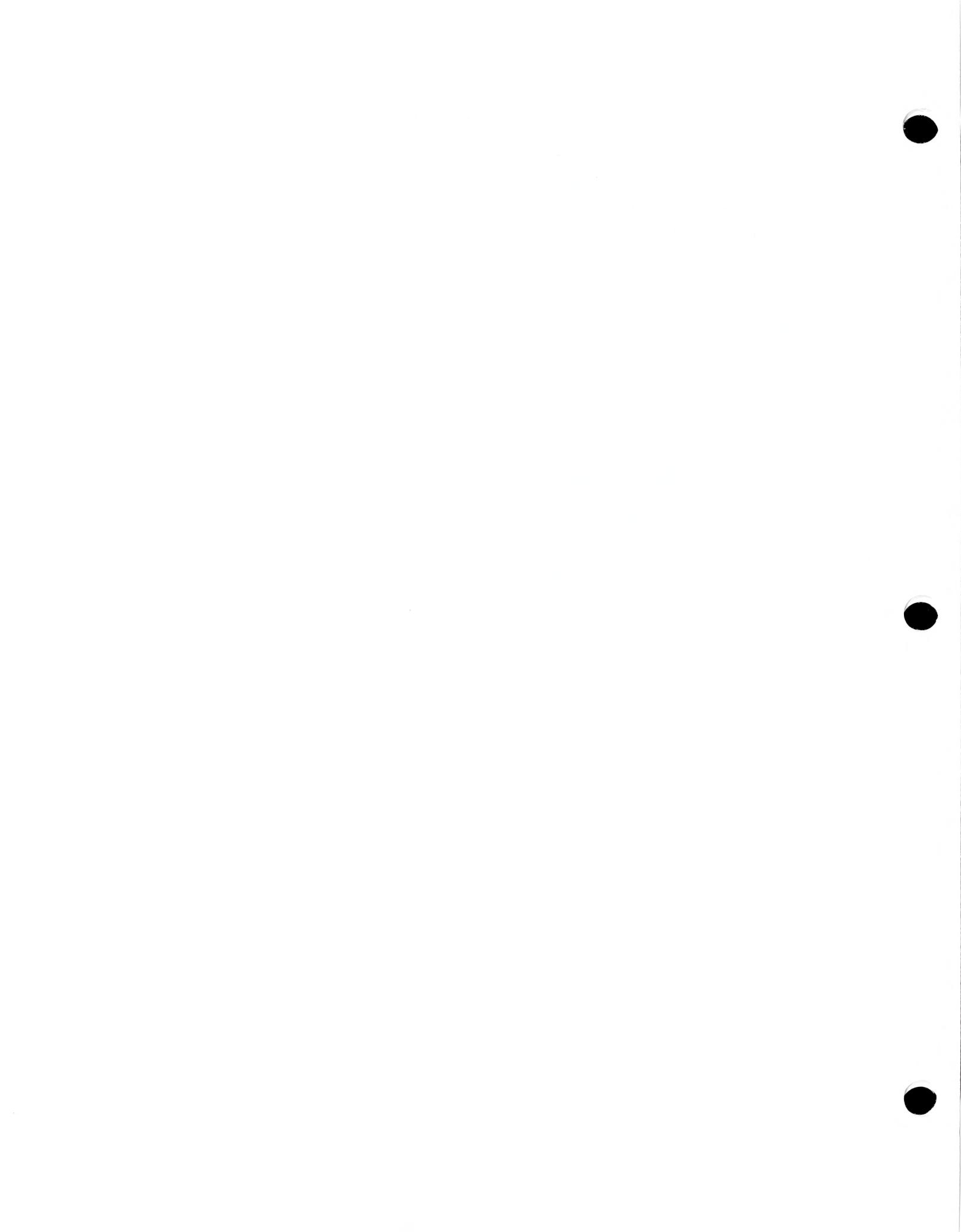
Fees:

Other Information:



NEW MEXICO

No permits impacting the aquaculture industry due to the fact that "The State of New Mexico does not have an aquaculture industry".



NEW YORK

1. FARM FISH POND LICENSE FW-50 (01/73)

Issuing Agency: Department of Environmental Conservation
 Regional Fisheries Manager
 Appropriate Regional Office

Statutory Reference: Env. Cons. Law § 11-1911

Regulatory Reference:

Activities Covered: Entitles the holder to manage a farm fish pond of not more than 10 acres of water surface when full and impounded by a dam. Pond must be located within the boundaries of privately owned or leased lands.

Process: A pre-application conference is recommended. Inspection is required. 15 days average for review.

Fees: None

Other Information: Regional Offices:

Region 1 - DRA SUNY Campus Building 40 Stony Brook, NY 11794 (516)751-7900	Region 2 - DRA (New York City) Hunters Point Plaza 47-40 21st Street Long Isl. City, NY 11101 (718)482-4997
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Region 3 - DRA 21 South Putt Corners Rd New Paltz, NY 12561 (914)255-5453	Region 4 - DRA 2176 Guilderland Ave. Schenectady, NY 12306 (518)382-0680
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SUB-Office - DRA Route 10, Jefferson Road Stamford, NY 12167 (607)652-7364	Region 5 - DRA Route 86 Ray Brook, NY 12977 (518)891-1370
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Region 6 - DRA State Office Building 317 Washington Street Watertown, NY 13601 (315)785-2245	SUB-Office - DRA State Office Building 600 Delaware 207 Genesee Street Utica, NY 13501 (315)793-2555
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Region 7 - DRA 615 Erie Boulevard West Syracuse, NY 13204 (315)426-7400	SUB-Office - DRA P.O. Box 5170 Fisher Ave. Cortland, NY 13045
Region 8 - DRA 6274 E. Avon-Lima Road Avon, NY 14414 (716)226-2466	Region 9 - DRA 600 Delaware Avenue Buffalo, NY 14202 (716)847-4551
SUB - Office - DRA 128 South Street Olean, NY 14760 (716)372-0645	

2. PERMIT TO RAISE AND SELL TROUT DFG-197 (09/70)

Issuing Agency: Department of Environmental Conservation
 Fish Propagation Unit
 50 Wolf Road
 Albany, NY 12233
 (518)457-5430

Statutory Reference: Env. Cons. Law § 11-1909

Regulatory Reference:

Activities Covered: Allows the holder to propagate, raise and sell trout.

Process: Review takes 15 days on the average. Pre- application conference recommended.

Fees: Permit/license/registration fee returned.

Other Information:

3. PRIVATE BASS HATCHERY PERMIT DEC*11

Issuing Agency: Department of Environmental Conservation
 Fish Propagation Unit
 50 Wolf Road
 Albany, NY 12233
 (518)457-5430

Statutory Reference: Env. Cons. Law § 11-1909

Regulatory Reference:

Activities Covered: A permit allowing the holder to propagate, raise and sell Black Bass for propagation and/or stocking.

Process: Pre-application conference recommended. Review takes 21 days on the average.

Fees: None

Other Information:

4. FISHING PRESERVE LICENSE 82-20-12 (10/75)

Issuing Agency: Department of Environmental Conservation
Special License Unit, Room 522
50 Wolf Road
Albany, NY 12233-4752
(518)457-0689

Statutory Reference: Env. Cons. Law § 11-1913

Regulatory Reference:

Activities Covered: Entitles the holder and guests to fish in the licensed waters at any time, to take fish of any size, in any number and in the manner set by the Department. A fee or club dues may be imposed. A fishing license is not required and live fish may be sold. Also permits owner to possess, propagate and rear fish. Restricted to artificial or manmade body of water, without limitation of size, lying wholly within the boundaries of privately owned land and operated for the purpose of permitting the owner to provide fishing facilities to anglers. Also requires that all fish caught and kept must be tagged.

Process: Length of determination process averages 30 days.

Fees: State resident \$50; non-resident \$50; Other \$.05 each tag.

Other Information:

5. **STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) PERMIT**
DEC*02

Issuing Agency: Department of Environmental Conservation
50 Wolf Road
Albany, NY 12233
(518)457-5430

Statutory Reference: Env. Cons. Law § 17-0101

Regulatory Reference: NYCRR 750-757

Activities Covered: Generally, any person, corporation, etc. who discharges sewage or industrial or other pollutants to either surface waters or to groundwaters via wells, tile fields, seepage pits, seepage lagoons, ground surface, etc. must first obtain a SPDES permit. Sewage discharges less than 1000 gallons per day to groundwater are not required to have permits.

Process: Multiple application forms depending on the type and size of proposed discharge. Required public notice, public hearing, pre-hearing conference. Maximum time 150 days statutory.

Fees: Varies based on facility type and discharge type.

Other Information:

6. **PERMIT TO CONSTRUCT A SOLID WASTE MANAGEMENT FACILITY 47-20-2**
(03/81)

Issuing Agency: Department of Environmental Conservation
Division of Regulatory Affairs
Appropriate Regional Office

Statutory Reference: Env. Cons. Law §§ 27-0703 - 27-0705, 27-0707

Regulatory Reference: 6 NYCRR Part 360

Activities Covered: Allows construction of a solid waste management facility.

Process: Required public notice, public hearing, pre-hearing conference, inspection. Length of determination process is maximum of 90 days statutory.

Fees: LIC./PER./REG./ = \$400

Other Information:

7. PERMIT TO LIBERATE FISH OR FISH EGGS DEC*17

Issuing Agency: Department of Environmental Conservation Appropriate Regional Office

Statutory Reference: Env. Cons. Law § 11-0507

Regulatory Reference:

Activities Covered: Entitles the holder to place fish or fish eggs in specific waters. No permit required for privately owned waters without an inlet or outlet.

Process: Pre-application conference recommended. Average length of determination 10 days. Inspection sometimes required.

Fees: None

Other Information:

8. PERMIT TO INSTALL A FISH SCREEN DEC*16

Issuing Agency: Department of Environmental Conservation Appropriate Regional Office

Statutory Reference: Env. Cons. Law § 11-0505

Regulatory Reference:

Activities Covered: Entitles the holder to obstruct the passage of fish in a stream or river by use of a fish screen.

Process: Average length of determination 30 days.

Fees: None

Other Information:

9. **PERMIT TO REMOVE OR TRANSFER FISH DEC*18**

Issuing Agency: Department of Environmental Conservation Appropriate Regional Office

Statutory Reference: Env. Cons. Law § 11-0517

Regulatory Reference:

Activities Covered: Entitles the holder to remove and/or transfer fish from private waters that are found to be hindering the natural propagation of fish or are in danger of being killed by pollution or otherwise.

Process: Pre-application conference recommended. Average length of determination is 1 day.

Fees: None

Other Information:

10. **PERMIT - ARTICLE 15 (PROTECTION OF WATER) - STREAMBED OR BANK DISTURBANCE 95-20-4*03 (09/75)**

Issuing Agency: Department of Environmental Conservation Regulatory Affairs Unit
Appropriate Regional Office

Statutory Reference: Env. Cons. Law § 15-0501

Regulatory Reference: 6 NYCRR Part 608

Activities Covered: Allows applicant to perform an activity or build a structure that will impact the bed or banks of a water body.

Process: Public notice, public hearing, pre-hearing conference, inspection.

Fees: \$10 - Minor projects; \$25 - Non-minor projects

Other Information:

11. PERMIT - ARTICLE 24 (FRESHWATER WETLANDS) 95-20-4*04 (09/75)

Issuing Agency: Department of Environmental Conservation Regulatory Affairs Unit
Appropriate Regional Office

Statutory Reference: Env. Cons. Law § 24-0701

Regulatory Reference: 6 NYCRR Part 662-663

Activities Covered: Allows applicant to perform an activity or erect a structure that will impact a regulated wetland or an adjacent area.

Process: Public notice, public hearing, pre-hearing conference.

Fees: \$10 - minor projects; \$50 - major projects

Other Information:

12. STATE ENVIRONMENTAL QUALITY REVIEW ACT PROCEDURE DEC*65

Issuing Agency: Government Agency of Jurisdiction

Statutory Reference: Env. Cons. Law § 8-0113

Regulatory Reference: 6 NYCRR Part 617

Activities Covered: The State Environmental Quality Review Act (SEQR) is not a permit per se, but rather is a process to help government and the public protect and improve the environment by assuring that environmental factors are considered along with social and economic considerations in government decision-making. SEQR applies to any state, regional or local government agency approving, undertaking or funding a privately or publicly sponsored action. Applicants who seek project approval or funding may be responsible for preparing an environmental impact statement.

Process: Public notice, public hearing, pre-hearing conference.

Fees: Variable; applicant may be charged for the preparation or review of an environmental impact statement.

Other Information:

13. SHELLFISH BED PERMIT MC-615 (10/74)

Issuing Agency: Department of Environmental Conservation
Marine Resources Permit Office
S.U.N.Y. Building 40
Loop Road
Stony Brook, NY 11790-2356
(516)751-7900 EXT. 240

Statutory Reference: Env. Cons. Law § 13-0313

Regulatory Reference:

Activities Covered: Permit allows the holder to take shellfish from lands owned, leased or rented by him and shall certify that such lands lie within certified shellfish waters.

Process: One day determination process

Fees: Lic./Per./Reg. - \$.25 per acre

Other Information: Permit/License/ Registration fees are refundable if the application is disapproved. Returnable fees are automatically returned without the applicant's request.

14. WATER QUALITY CERTIFICATION DEC*58 401

Issuing Agency: Department of Environmental Conservation
Division of Regulatory Affairs
50 Wolf Road
Albany, NY 12233-1750
(518)457-2224

Statutory Reference: Env. Cons. Law § 17-0701

Regulatory Reference:

Activities Covered: This is not a permit, per se, but is added to other permits by the agency to comply with Federal Regulations. Many Federal Agencies will issue their permits only after a 401 Water Quality Certification is issued.

Process: Average length of determination process - 60 days.

Fees: None

Other Information:

15. PERMIT - ARTICLE 25 (TIDAL WETLANDS) 95-20-4*05 (09/45)

Issuing Agency: Department of Environmental Conservation Regulatory Affairs Unit
Appropriate Regional Office

Statutory Reference: Env. Cons. Law § 25-0401

Regulatory Reference: 6 NYCRR Part 661

Activities Covered: Allows applicant to perform an activity or erect a structure that will impact a tidal wetland or its adjacent area.

Process: Public notice; public hearing; pre-hearing conference

Fees: \$10 - minor projects; \$50 - major projects

Other Information:

16. ARMY CORPS OF ENGINEERS PERMIT

Issuing Agency: Army Corps of Engineers

New York District	Buffalo District
26 Federal Plaza	1776 Niagara St.
New York, NY 10278	Buffalo, NY 14207
(212)264-0184	(716)876-5454

Statutory Reference: Rivers and Harbor Act of 1899 Section 10

Regulatory Reference:

Activities Covered: Structures or facilities over or in navigable waters

Process: Contact local DEC or Corps office to find out if your project will require a permit.

Fees:

Other Information:

17. ARMY CORPS OF ENGINEERS PERMIT

Issuing Agency: Army Corps of Engineers
New York or Buffalo Offices

Statutory Reference: Rivers and Harbor Act of 1899 Section 10

Regulatory Reference:

Activities Covered: Structures or facilities over or in navigable waters

Process: Contact local DEC or Corps office to find out if your project will require a permit.

Fees:

Other Information:

18. ARMY CORPS OF ENGINEERS PERMIT

Issuing Agency: Army Corps of Engineers
New York or Buffalo Offices

Statutory Reference: Clean Waters Act, Section 404

Regulatory Reference:

Activities Covered: Permits are required for the discharge of fill into the nations waters and/or wetlands for construction of pond embankment, flooding or areas, etc.

Process: Contact local DEC or Corps office to find out if your project will require a permit.

Fees:

Other Information:

19. CLASS A OR B REGIONAL PROJECTS

Issuing Agency: Adirondack Park Agency
P.O. Box 99
Ray Brook, NY 12977
(518)891-4050 FAX (518)891-3938

Statutory Reference: New York State Executive Law, Article 27 [first setout] (also referred to as the Adirondak Park Agency Act)

Regulatory Reference:	9 NYCRR Part 570 et seq.
Activities Covered:	Any new or expanded land use and development which is defined as a Class A or B regional project.
Process:	Contact the Adirondak Park Agency to have a determination made as to whether a permit would be required. If permit is required, then apply for permit.
Fees:	None
Other Information:	
20. <u>RIVERS PROJECT PERMIT</u>	
Issuing Agency:	Adirondack Park Agency P.O. Box 99 Ray Brook, NY 12977 (518)891-4050 FAX (518)891-3938
Statutory Reference:	New York State Environmental Conservation Law Article 15, Title 27 (also referred to as the New York State Wild, Scenic Recreational Rivers Systems Act)
Regulatory Reference:	9 NYCRR Part 577, Special Provisions Relating to Wild, Scenic Recreational Rivers Systems Act)
Activities Covered:	Any land use and development and/or subdivision of land defined as a Rivers Project within Wild, Scenic and Recreational areas in the Adirondak Park.
Process:	Contact the Adirondak Park Agency to have a determination made as to whether or not a permit is required. If permit required, apply for permit.
Fees:	None
Other Information:	

21. WETLANDS PROJECT, REGULATED WETLAND ACTIVITY

Issuing Agency: Adirondack Park Agency
P.O. Box 99
Ray Brook, NY 12977
(518)891-4050 FAX (518)891-3938

Statutory Reference: New York State Executive Law, Article 15, Title 27 [first setout](also referred to as the Adirondak Park Agency Act), Environmental Conservation Law, Article 24 (also referred to as the Freshwater Wetlands Act)

Regulatory Reference: 9 NYCRR Part 578, Special Provisions Relating to Freshwater Wetlands

Activities Covered: Any new or expanded land use and development defined as a regulated wetland activity, which impacts or involves a jurisdictional wetland.

Process: Contact the Adirondak Park Agency to determine if a permit is required. If permit is required, apply for permit.

Fees: None

Other Information:

22. FISH TAGS DEC*19

Issuing Agency: Department of Environmental Conservation
Special Licenses Unit, Room 522
50 Wolf Road
Albany, NY 12233-4752
(518)457-0689

Statutory Reference: Env. Cons. Law § 11-1721

Regulatory Reference:

Activities Covered: Identifies hatchery-raised fish as required by law.

Process: Average length of determination is 10 days. Supplemental permits always required.

Fees: \$.05 each tag

Other Information:

23. FOOD PROCESSING ESTABLISHMENT LICENSE LU 6*02 (11/89)

Issuing Agency: Department of Agriculture and Markets
Division of Food Safety and Inspection
1 Winner Circle
Albany, NY 12235
(518)457-1215

Statutory Reference: A.G & MKTS. Law § 251-z-3

Regulatory Reference:

Activities Covered: Permits operation of a food processing establishment.

Process: Average length of determination is 2 days. Inspection required.

Fees: Lic./Pre./Reg. - \$35

Other Information:

24. COASTAL EROSION MANAGEMENT 95-20-6A (09/86)

Issuing Agency: Department of Environmental Conservation
Regional Offices
Division of Regulatory Affairs
Appropriate Regional Office

Statutory Reference: Env. Cons. Law § 34-0109(A)

Regulatory Reference: 6 NYCRR Part 505.5

Activities Covered: An erosion management permit is required for any construction, modification, or placement of a structure or major addition to a structure, or any action or use of land which materially alters the condition of land, including grading, excavating, dumping, mining, dredging, filling or other disturbances of soil in a coastal erosion hazard area. Permit ensures that development will be safe and environmentally prudent.

Process: Public notice, public hearing, and others.

Fees: Fees vary with the complexity of the project; performance bond may be required when applicant has record of non compliance with DEC permits.

Other Information:

**25. PERMIT - MARINE HATCHERY AND/OR ON/OFF-BOTTOM CULTIVATION
DEC*41**

Issuing Agency: Department of Environmental Conservation
Marine Resources Permit Office
S.U.N.Y. Building 40
Loop Road
Stony Brook, NY 11790-2356
(516)751-7900 EXT. 240

Statutory Reference: Env. Cons. Law § 13-0316

Regulatory Reference:

Activities Covered: Allows holder to possess, raise and breed marine plants and animals and to sell hatchery and cultivation products to commercial markets as authorized by the department.

Process: Maximum length of determination process is 45 days statutory.

Fees: Lic./Per./Reg. - \$100

Other Information:

26. WILD, SCENIC AND RECREATIONAL RIVER PERMIT 95-20 6 (09/85)

Issuing Agency: Department of Environmental Conservation
Division of Regulatory Affairs
Appropriate Regional Office

Statutory Reference: Env. Cons Law § 15-2709

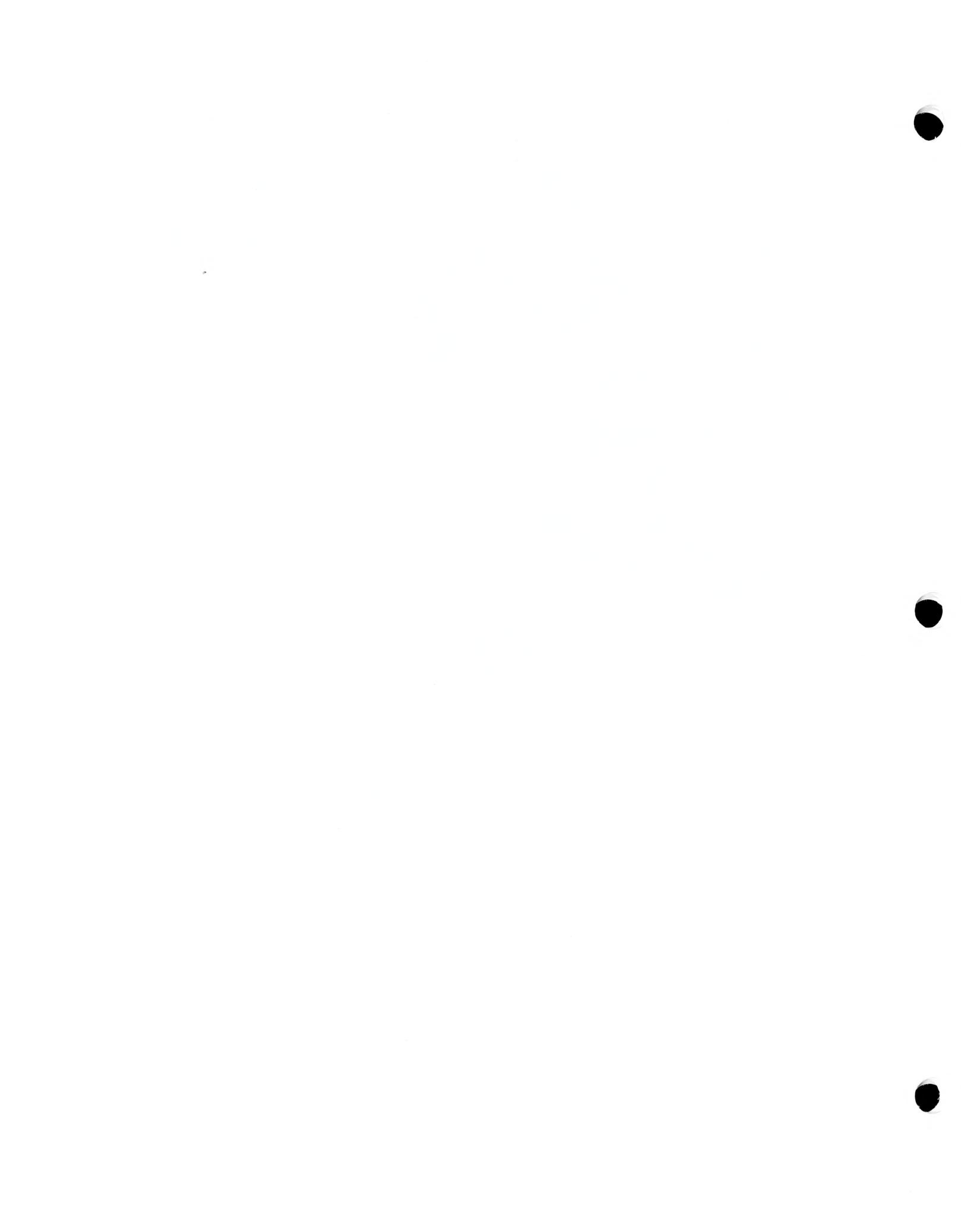
Regulatory Reference:

Activities Covered: Permits issued under the wild, scenic and recreational rivers systems program are intended to control land use and development along river corridors specifically designated under the system and to protect and preserve those river qualities which qualified the particular rivers designated under the system. The new supplement to the existing application form, once completed, will provide the department with the additional information necessary to issue a permit under this program.

Process: Pre-application conference is recommended.

Fees: None

Other Information:



NORTH CAROLINA

1. SHELLFISH LEASE

Issuing Agency: Division of Marine Fisheries
P.O. Box 769
Morehead City, NC 28557
(919)682-2632

Statutory Reference: GS 113-202

Regulatory Reference:

Activities Covered: Allows private production of shellfish on publicly owned water bottoms.

Process: Application is reviewed to insure minimal impact on existing resources, riparian landowners and public use of the waters. License granted by Marine Fisheries Commission.

Fees: \$5 per acre per year.

Other Information: Requires the production of 25 bushels of shellfish per year.

2. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM - GENERAL PERMIT NO. NCG530000

Issuing Agency: Division of Environmental Management
512 North Salisbury Street
Raleigh, NC 27604-1148
(919)733-5083

Statutory Reference: GS 143-215.1

Regulatory Reference: General Permit No. NCG 530000

Activities Covered: Discharges from aquaculture operations - cold water facilities producing in excess of 20,000 lbs. per year and feeding 5,000 lbs. in any month or warm water facilities producing over 100,000 lbs. per year and discharging 30 or more days a year.

Process: Application review, possible site evaluation, permit issuance - approximately a one month process.

Fees: N/A

Other Information: General Permit issued July 31,1992. Reduce permit processing time from 6 months to one.

3. REGIONAL/GENERAL PERMIT/NATIONWIDE PERMIT, INDIVIDUAL PERMIT

Issuing Agency: U.S. Army Corps of Engineers
P.O. Box 1890
Wilmington, NC 28402
(919)251-4511

Statutory Reference: Section 404 Clean Water Act

Regulatory Reference: 33 CFR 320-330

Activities Covered: Permits are required for the discharge of dredge or fill material in the nation's waters and/or wetlands.

Process: Multiple agency review of applications.

Fees: \$100

Other Information: 404 permits are required for trout intake structures in streams and pond construction in wetlands.

4. WATER COLUMN LEASE

Issuing Agency: Division of Marine Fisheries
P.O. Box 769
Morehead City, NC 28557
(919)682-2632

Statutory Reference:

Regulatory Reference:

Activities Covered: Allows the use of the entire water column for private production of shellfish.

Process: The application is intensively reviewed to insure minimal impact on existing resources, historic public use of the area, concerns of riparian landowners, etc. Permit is issued by the Marine Fisheries Commission.

Fees: \$100 for first three years and \$500 per acre per year thereafter.

Other Information: ONLY ONE HAS BEEN ISSUED.

**5. FRESHWATER AQUACULTURE FACILITY, COMMERCIAL CATCHOUT
FACILITY LICENSE**

Issuing Agency: Department of Agriculture
Division of Aquaculture and Natural Resources
Post Office Box 27647
Raleigh, NC 27611
(919)733-7125 FAX (919)733-1141

Statutory Reference: G.S. 106-758

Regulatory Reference: 2 NCAC Chapter 53

Activities Covered: Production and sale of commercially-raised freshwater fish species

Process:

Fees: None

Other Information:



NORTH DAKOTA

1. **PRIVATE FISH HATCHERY**

Issuing Agency: Game and Fish Department
Fisheries Division
100 North Bismarck Expressway
Bismarck, ND 58501-5095
(701)221-6300 FAX(701)221-6352

Statutory Reference: NDCC 20.1-06-12

Regulatory Reference: Administrative Code 30-03-02

Activities Covered: Any individual raising fish or other aquatic species in North Dakota is required to have a private fish hatchery permit.

Process: Review application; Visit area and/or look at drainage affected on topographic map; Issue permit if approved/deny permit with reason for denial; Periodic inspection to ensure compliance.

Fees: \$75

Other Information:

2. **POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (NDPDES)**

Issuing Agency: Department of Health and Consolidated Laboratories
Water Quality Division
1200 Missouri Ave.
Bismarck, ND 58502-5520
(701)221-5210 FAX (701)221-5200

Statutory Reference: NDPDES 33-16-01.01 to 33-16-01.28

Regulatory Reference: North Dakota Century Code 61-28-04

Activities Covered: Discharges of processed water or waste water into waters of the state.

Process:	Review Application; Draft Permit; Advertise proposed permit and hold hearing if necessary; Issue Permit; Monitor Discharge quality; Perform periodic inspections; Insure compliance with water quality standards and permit.
Fees:	None
Other Information:	
3. <u>IMPORT PERMIT</u>	
Issuing Agency:	Game and Fish Department Fisheries Division 100 North Bismarck Expressway Bismark, ND 58501-5095 (701)221-6300 FAX(701)221-6352
Statutory Reference:	NDCC 20.1-06-12
Regulatory Reference:	Administrative Code 30-03-02-06
Activities Covered:	Import of fish stock into the state.
Process:	Review application; Grant or deny permit; Periodic inspection.
Fees:	None
Other Information:	Permit issued only if application is accompanied by a disease-free certificate from the source of the fish.

OHIO

1. CLASS A. AQUACULTURE PERMIT

Issuing Agency: Department of Natural Resources
Division of Wildlife
1840 Belcher Drive
Columbus, OH 43224-1329
(614)265-6343

Statutory Reference: Ohio Revised Code (O.R.C.) 1533.632

Regulatory Reference: Administrative Rule - pending 1501:31:31-39-01

Activities Covered: Permits propagation of aquatic species for sale for human consumption. Indigenous species only from species listed in ORC and Administrative rules.

Process: Contact Wildlife District Law enforcement supervisor for permit application.

Fees: \$50 annually - December 31 expiration date.

Other Information: Permit must include name and owner and location of aquaculture facility, common and specific names of aquatic species to be produced. Other restrictions apply.

2. CLASS B. AQUACULTURE PERMIT

Issuing Agency: Department of Natural Resources
Division of Wildlife
1840 Belcher Drive
Columbus, OH 43224-1329
(614)265-6343

Statutory Reference: O.R.C. 1533.632

Regulatory Reference: Administrative Rule - pending 1501:31:39-01

Activities Covered: Permits propagation of aquatic species other than Class A. species for sale for human consumption.

Process: Obtain permit application as described for Class A. Class B. permit application requires aquaculture facility inspection by Division of Wildlife Personnel.

Fees: \$100 annually - December 31 expiration date.

Other Information: Facility classification is determined by levels of escape prevention and the life history of aquatic species to be produced. Both Class A & B aquaculture permits provide for Propagation, Transportation and Bait dealers permits. Other restrictions apply.

3. **PERMIT TO TRANSFER COMMERCIAL FISH** Issuing Agency: Department of Natural Resources
Division of Wildlife
1840 Belcher Drive
Columbus, OH 43224-1329
(614)265-6343

Statutory Reference: O.R.C. 1533.301

Regulatory Reference:

Activities Covered: Transportation of fish for sale, sold, or purchased.

Process: Permit is offered free to Aquaculture permit holders, application may be obtained from Lake Erie Law Enforcement supervisor.

Fees: \$50

Other Information: Other restrictions apply particularly labeling requirements and rights of inspection.

4. **FISH AND FISH FOOD PROPAGATOR'S LICENSE**
Issuing Agency: Department of Natural Resources
Division of Wildlife
1840 Belcher Drive
Columbus, OH 43224-1329
(614)265-6343

Statutory Reference: O.R.C. 1533.39

Regulatory Reference:

Activities Covered: Raising of fish for sale and personal use for stocking purposes.

Process: Application available from County Wildlife Officer. Permit offered free to Aquaculture Permit holders.

Fees: \$10

Other Information: Applicant must own or lease suitable equipment for breeding, hatching, raising, handling, transportation and wintering live fish. Other restrictions apply.

5. BAIT DEALERS PERMIT

Issuing Agency: Department of Natural Resources
Division of Wildlife
1840 Belcher Drive
Columbus, OH 43224-1329
(614)265-6343

Statutory Reference: O.R.C. 1533.40

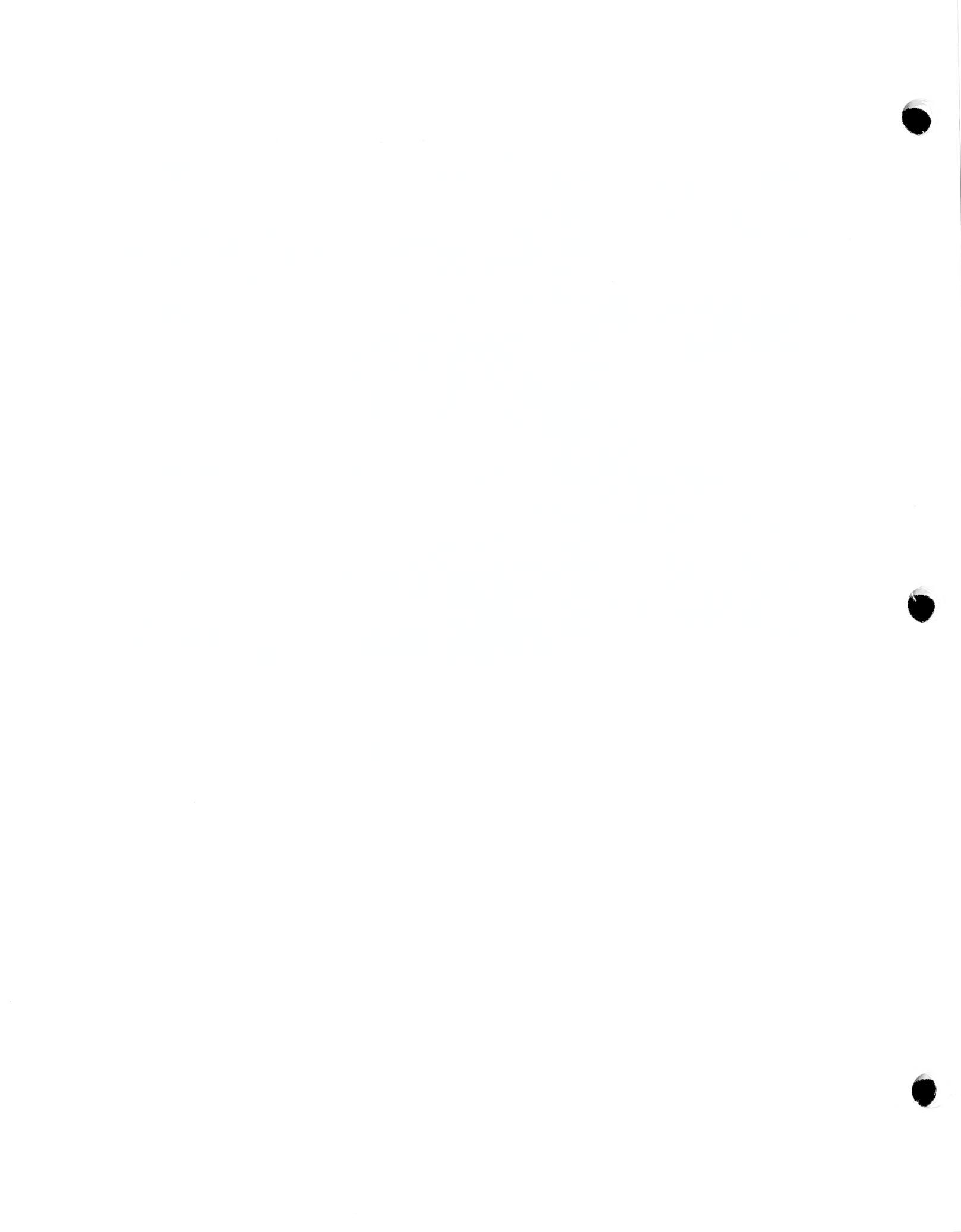
Regulatory Reference:

Activities Covered: Buying, selling or dealing in minnows, crayfish or hellgrammies or collecting these species for sale.

Process: Application available from County Wildlife Officer. Permit offered free to Aquaculture Permit holders.

Fees: \$25

Other Information: Some other restrictions apply.



OKLAHOMA

1. AQUACULTURE LICENSE

Issuing Agency: Department of Wildlife Conservation
1801 North Lincoln
Oklahoma City, OK 73105
(405)521-3721 FAX (405)521-6535

Statutory Reference: Oklahoma Statutes, Title 29, Game and Fish, Art. 4, Section 4-102

Regulatory Reference: Oklahoma Statutes, Title 29, Game and Fish, Art. 4, Section 4-102

Activities Covered: Propagation of water species for commercial purposes.

Process: Apply to and licensed by Dept. of Wildlife Conservation

Fees: Annual \$10

Other Information:

2. FOOD PROCESSORS LICENSE

Issuing Agency: Department of Health
1000 NE 10th Street
Oklahoma City, OK 73117-1299
ATTN: Consumer Protection Division
(405)271-5243 FAX (405)271-3458

Statutory Reference: 63 O.S. 1981, Section 1-1101 et seq.

Regulatory Reference: OAC 310:260 Good Manufacturing Practice Regulations

Activities Covered: All food manufacturing, processing, packaging, warehouse, and salvage operations.

Process: Requires inspection of facility (manufacturing or processing facility, not ponds or growing activity) and licensing.

Fees: Initial fee - \$100; Renewal fee - \$50 per year

Other Information:

3. GENERAL PERMIT/NATIONWIDE PERMIT/INDIVIDUAL PERMIT
DEPARTMENT OF THE ARMY PERMIT PROGRAM

Issuing Agency: Corps of Engineers, Tulsa, Oklahoma
P.O. Box 61 (CESWT-OD-RF)
Tulsa, OK 74121-0061
(918)581-7261 FAX (918)581-6210

Statutory Reference: Section 404 of Clean Water Act (33 U.S.C 1311 et seq)

Regulatory Reference: 33 CFR 320-330

Activities Covered: Permits are required for the discharge of dredged or fill material into the Nation's waters and/or wetlands for construction of aquaculture facilities. In navigable waters, permits are required for any structure or work activity.

Process: Applications should be submitted to the Corps of Engineers who will coordinate with the Oklahoma Water Resources Board for water quality certification and other agencies and organizations as appropriate.

Fees: \$10 or \$100 or no fee dependent upon type of authorization.

Other Information:

4. GROUNDWATER USE PERMIT

Issuing Agency: Water Resources Board
Water Management Division
P.O. Box 150
600 N. Harvey
Oklahoma City, OK 73101-0150
(405)231-2531 FAX (405)231-2600

Statutory Reference: Title 82 Chapter 11 Oklahoma Groundwater Law

Regulatory Reference: OAC 785:30-1-1 through OAC 785:30-13-9

Activities Covered: Any use of groundwater, other than domestic use requires landowner/lease holder to obtain a groundwater use permit.

Process: Upon application, application is reviewed for accuracy and completeness. The amount of water that may be applied for is determined by statute or by Board Order, where a hydrogeologic study has been completed. Once notice of application is published and opportunity for protest is done, permit application is approved by the agency's governing board. Upon approval by the Board a permit is issued.

Fees: 0-320 acre-feet - \$125
321-640 acre-feet - \$200
641-1500 acre-feet - \$250
Greater than 1500 acre-feet - \$250 plus an additional \$100 for each increment of 500 acre-feet above 1500 acre-feet requested.

Other Information: Well spacing from other property owners wells is in affect in groundwater basins which have a study completed. Notification of application must be made to all landowners within 1320 feet of all wells dedicated to the application.

5. **STREAM WATER USE PERMIT**

Issuing Agency: Water Resources Board
Water Management Division
P.O. Box 150
600 N. Harvey
Oklahoma City, OK 73101-0150
(405)231-2531 FAX (405)231-2600

Statutory Reference: Title 82 Chapter 1 Irrigation and Water Rights

Regulatory Reference: OAC 785:20-1-1 through OAC 785:20-11-8

Activities Covered: Any use of stream water, other than domestic use, requires entity to obtain a stream water use permit.

Process: Applicant must file permit application, followed by publication of a notice of use and opportunity to protest at a public hearing, if requested. If a present and future need is shown, the agency's governing board may then approve the permit.

Fees:

0-320 acre-feet - \$125
321-640 acre-feet - \$200
641-1500 acre-feet - \$250
Greater than 1500 acre-feet - \$250 plus an additional \$100 for each increment of 500 acre-feet above 1500 acre-feet requested.

Other Information:

Stream water doctrine is based on not interfering with prior appropriations and to use the maximum amount authorized once during any continuous seven year period. Permits are subject to reduction or cancellation at the end of any seven year period.

6. STATE INDUSTRIAL DISCHARGE PERMIT

Issuing Agency:

PDES Permitting Section
Water Quality Division
Department of Environmental Quality
1000 N. E. 10th Street
Oklahoma City, OK 73117-1212
(405)271-5205

Statutory Reference: Title 27A O.S. 1993 Supp., §2-6-201 et. seq. (Oklahoma Pollutant Elimination System Act)

Regulatory Reference: OAC 252.605, OAC 252:615, OAC 252:647

Activities Covered:

All point source discharges of pollutants and storm water to waters of the state which originate from municipal, industrial, commercial, mining, transportation and utilities, construction, trade, real estate and finance, services, public administration, manufacturing and all other sources. Construction, installation, operation and closure of any industrial surface impoundment or treatment system. Land application of sludge and wastewater. Certain oil and gas, agriculture, livestock production and silviculture activities are covered by different statutes and agencies.

Process: A detailed wastewater discharge/disposal permit application must be filed, and the applicant must publish notice of filing in a daily or weekly newspaper local to the area of the proposed discharge/disposal. Following review, a draft permit will be prepared. The applicant must publish notice of the preparation and availability of the draft permit and of the opportunity for public comment. If requested, a public meeting and/or administrative permit hearing, and the final permit will be submitted to the Executive Director for approval.

(Pond Culture Only) A general discharge permit has been adopted and promulgated as rules by the Department, covering facilities that are engaged in aquatic animal production by pond culture only. To be authorized under the general permit, the facility must file an application (less detailed than that described above). Following review, an authorization will be prepared and submitted to the Executive Director for approval. Under this program, there is no public notice requirement and no opportunity for public meeting or administrative hearing.

Fees: The application fee for an industrial discharge permit is \$200. Annual fees are based on a complex formula which considers the type of waste, volume of discharge and the beneficial uses of the receiving stream. There is no application fee for industrial surface impoundments and septic tank systems; annual fees range from \$100-\$400 per impoundment/septic tank, depending on the nature of the waste being retained. For land application of wastewater, the application fee is \$250, plus \$50 per additional site; the annual fee is \$250 per site.

(Pond Culture Only) For authorization under the general permit, the application fee is \$100. The annual fee is \$50 per year.

Other Information: The Department of Environmental Quality has a Customer Assistance Hotline: the number is 1-800-869-1400.

7. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

Issuing Agency: Environmental Protection Agency
Region VI
1445 Ross Avenue
Dallas, TX 75202-2733
(214)655-7190

Statutory Reference: 40 CFR 122.25 and 125.10

Regulatory Reference:

Activities Covered: Discharge to waters of U.S.

Process: Application to EPA

Fees:

Other Information:

8. ENDANGERED SPECIES ACT

Issuing Agency: U.S. Fish and Wildlife Services
Ecological Services Office
222 S. Houston, Suite A
Tulsa, OK 74127-8909
(918)581-7458 FAX(918)581-7467

Statutory Reference: Endangered Species Act of 1973 (16 U.S.C. 1531-1544, as amended).

Regulatory Reference: 50 CFR 17.1 thru 17.96

Activities Covered: Any activity which may affect Endangered or Threatened species or their habitat.

Process: Contact above office for list of species in your area and necessary procedures, if any.

Fees: None

Other Information:

9. WETLAND INVENTORY INFORMATION

Issuing Agency: Water Resource Board
P.O. Box 150
600 North Harvey
Oklahoma City, OK 73152
(405)231-2526

Statutory Reference: Clean Water Act (33 U.S.C. 1288).

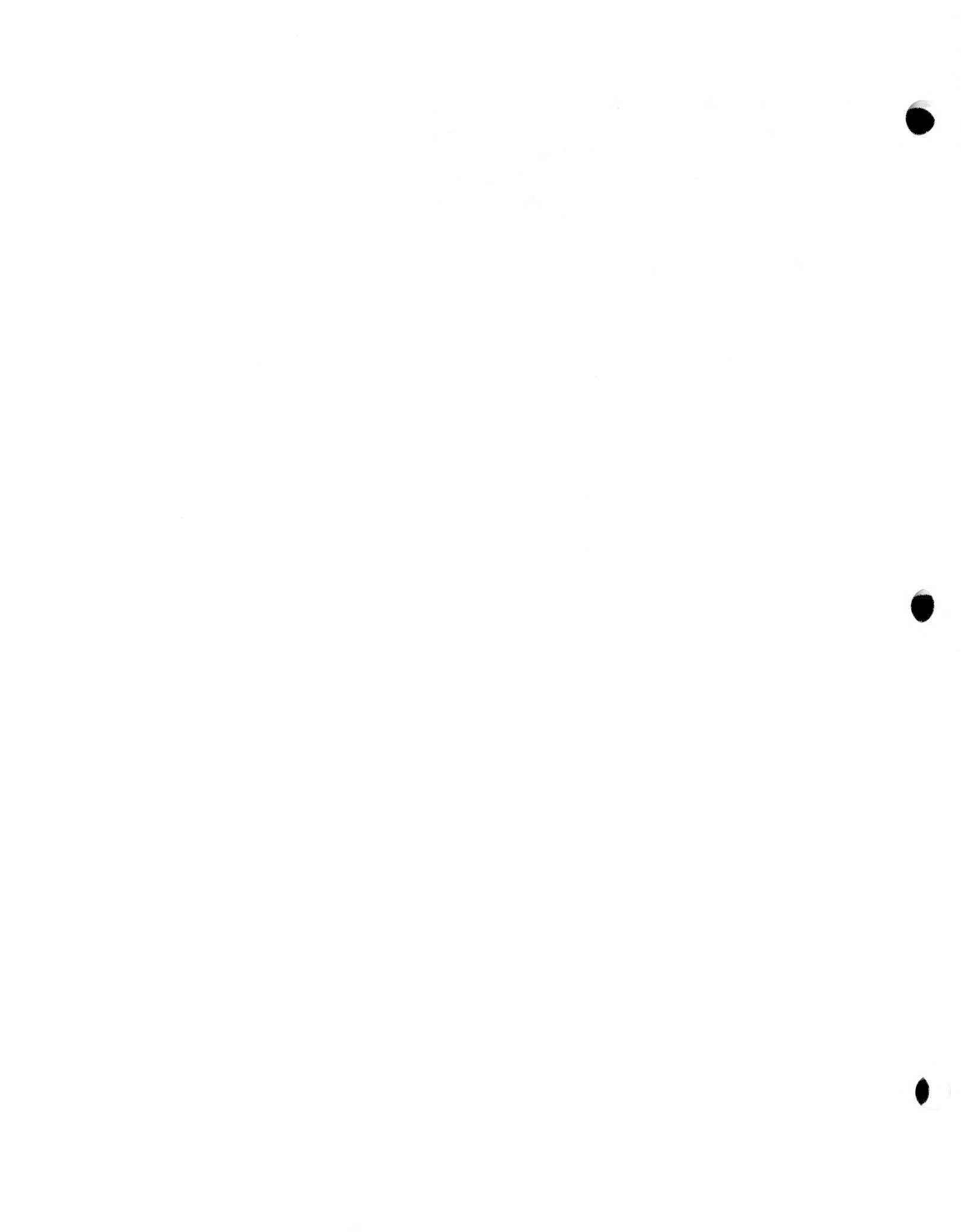
Regulatory Reference:

Activities Covered: Source for National Wetland Inventory maps of Oklahoma.
Development within wetlands is restricted. These maps identify photo-interpretable wetlands within the state.

Process:

Fees: Call for map prices.

Other Information:



OREGON

1. VARIOUS AQUACULTURE/MARICULTURE PERMITS

Issuing Agency: Department of Fish & Wildlife
 2501 SW First Avenue
 Portland, OH 97207
 (503)229-5403

Department of Environment Quality
Water Quality Control Division
811 SW Sixth Avenue
Portland, OR 97204
(503)229-5279

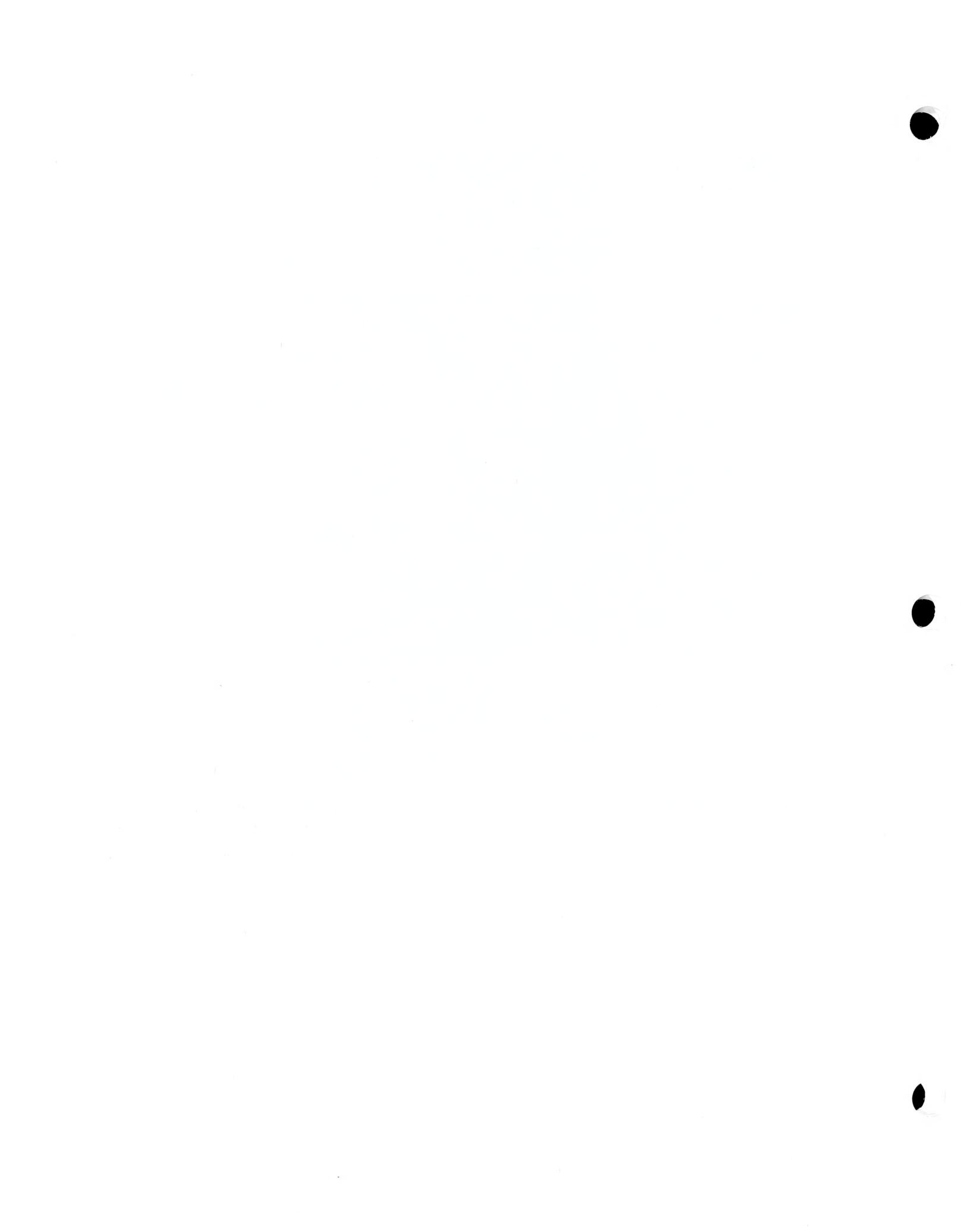
Department of Agriculture
Natural Resources Division
635 Capitol St. NE
Salem, OR 97310
(503)378-3810 FAX (503)378-2590

Department of Water Resources
3850 Portland Road, NE
Salem, OR 97310
(503)378-3741 FAX (503)378-8130

Division of State Lands
775 Summer Street
Salem, OR 97310
(503)378-3805 FAX (503)378-4844

Other Information:

There are numerous overlapping permits and State government regulatory permits for the kinds of aquaculture permitted in Oregon. Apply first at Oregon Department of Fish and Wildlife to get started.



PENNSYLVANIA

1. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

Issuing Agency: Department of Environmental Resources
Division of Permits & Compliance
P.O. Box 8466
Harrisburg, PA 17105-8466
(717)787-8184 FAX (717)783-2802

Statutory Reference: Federal Clean Water Act; PA Clean Streams Law

Regulatory Reference: 40 CFR 122.24; Chapter 92 of Per Rules & Regulations

Activities Covered: Wastewater Discharges

Process: Complete and submit a notice of intent to be covered under the state general permit or complete an NPDES application for an individual NPDES permit.

Fees: \$100 for general permit, \$500 for individual permit

Other Information:

2. SALES TAX AND CAPITAL STOCK-FRANCHISE TAX REGULATIONS

Issuing Agency: Department of Revenue
Strawberry Square
Harrisburg, PA 17128
(717)787-8207 FAX (717)787-3990

Statutory Reference:

Regulatory Reference: 61 PA Code §§32.33 and 152.2(a)-(b)

Activities Covered: Farming; Agriculture - Receiving State Sales Tax Exemption

Process:

Fees:

Other Information:

3. FISH AND BOAT COMMISSION

Issuing Agency: Fish and Boat Commission
3532 Walnut Street
P.O. Box 1673
Harrisburg, PA 17105-1673
(717)657-4518

Statutory Reference:

Regulatory Reference: Title 30 PA Consolidated Statutes, Chapter 33, Sections 3301-3313.

Activities Covered: Propagation and sale of fish, species approval

Process: Complete and submit application for propagation and/or sales licenses.

Fees: \$50 trout or bass, \$25 any other fish

Other Information:

4. FOOD PROCESSING

Issuing Agency: Department of Agriculture
Bureau of Food Safety and Laboratory Services
2301 North Cameron Street
Harrisburg, PA 17110-9408
(717)787-4315

Statutory Reference: ACT 70 of 1994

Regulatory Reference: Title 7, PA Code, Part III Chapter 45

Activities Covered: Processing fish for human consumption

Process:

Fees:

Other Information:

PUERTO RICO

1. EXTRACTION OF MATERIALS FROM EARTH'S CRUST

Issuing Agency: Department of Natural Resources
P.O. Box 5887
San Juan, PR 00906
(809)724-8774 (809)723-3090

Statutory Reference:

Regulatory Reference:

Activities Covered: Deep well, construction near or in Coastal areas, construction near mangrove areas and organisms importation.

Process:

Fees:

Other Information:

2. LAND (WATER) - USE PLANS

Issuing Agency: The Puerto Rico Planning Board
P.O. Box 41119
Santurce, PR 00940-9985
(809)723-6200

Statutory Reference:

Regulatory Reference:

Activities Covered:

Process:

Fees:

Other Information:

3. ZONING AND BUILDING REGULATIONS

Issuing Agency: **The Regulation and Permits Administration**
P.O. Box 41179
Santurce, PR 00940-9985
(809)721-8282

Statutory Reference:

Regulatory Reference:

Activities Covered:

Process:

Fees:

Other Information:

4. ENVIRONMENTAL IMPACT STATEMENTS

Issuing Agency: **The Environmental Quality Board**
P.O. Box 11488
Santurce, PR 00910
(809)725-5140

Statutory Reference:

Regulatory Reference:

Activities Covered:

Process:

Fees:

Other Information:

5. CONSTRUCTION NEAR ON IN COASTAL AREAS

Issuing Agency: The Corps of Engineering
 400 Fernandez Juncos Ave.
 Stop 11 1/2
 San Juan, PR 00901
 (809)753-4690

Statutory Reference:

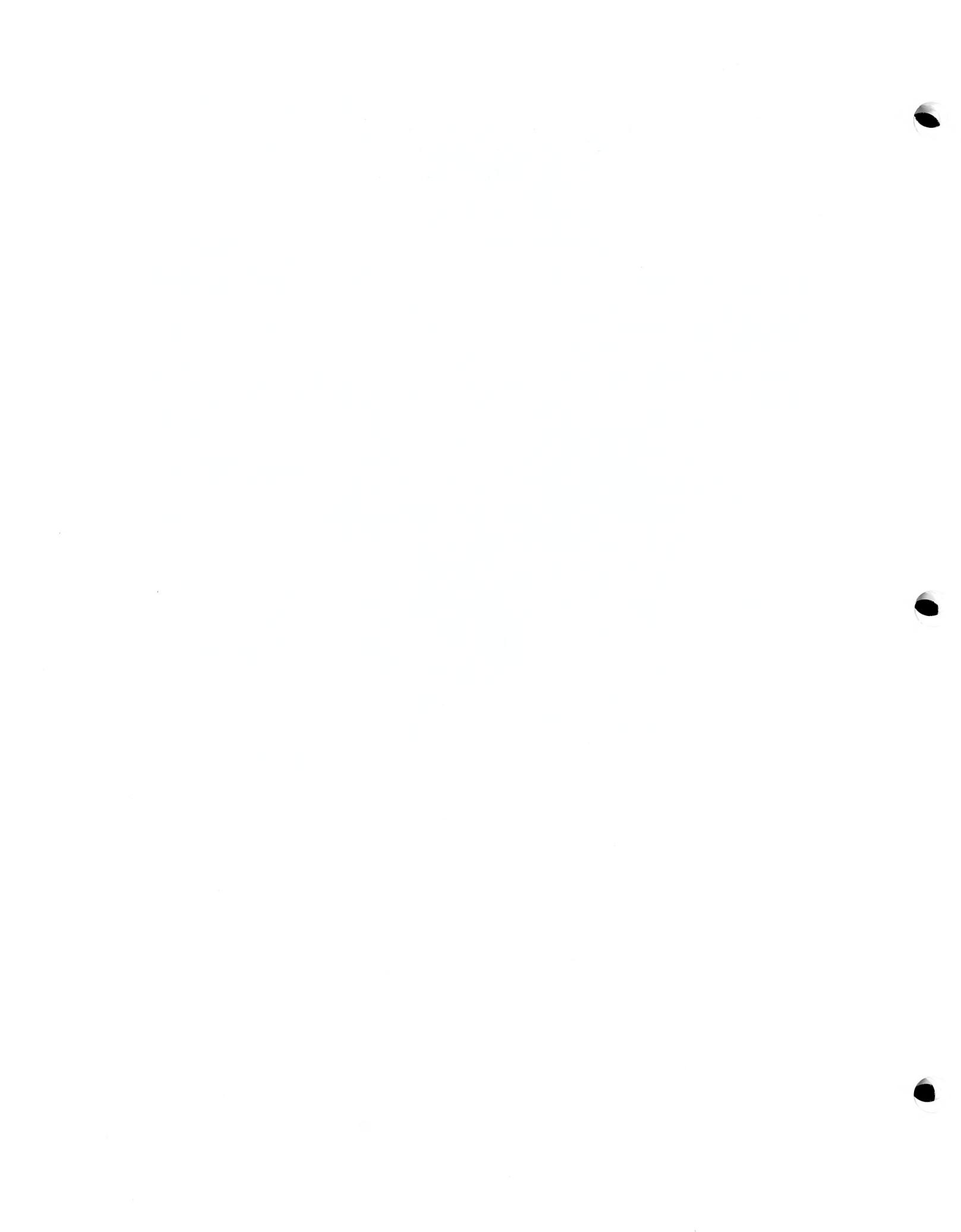
Regulatory Reference:

Activities Covered:

Process:

Fees:

Other Information:



RHODE ISLAND

1. COASTAL RESOURCES ASSENT

Issuing Agency: Coastal Resource Management Council, Government Center
Tower Hill Road
Wakefield, RI 02879
(401)277-2476 FAX (401)454-0765

Statutory Reference: RIGL 46-23-1 thru 19, Executive order no. 17 November 16, 1977

Regulatory Reference: Coastal Resource Management Program (Redbook)

Activities Covered: Alteration and use activities, Aquaculture in coastal waterways

Process: Application, staff review, public hearing, review by water quality agency, advice and consent of RI Marine Fisheries Council, local approvals - assent granted/denied

Fees: Application fee determined by CRMC, annual rental \$75/yr less than 1 acre, \$150/yr/acre \$100 each subsequent acre/yr

Other Information: Regulates structures, area use competing uses.

2. AQUACULTURE PERMIT

Issuing Agency: Department Environmental Management
Div. of Fish, Wildlife, and Estuaries, Government Center
Tower Hill Road
Wakefield, RI 02879
(401)789-3094 FAX (401)783-4460

Statutory Reference: RIGL 20-10-1 thru 18

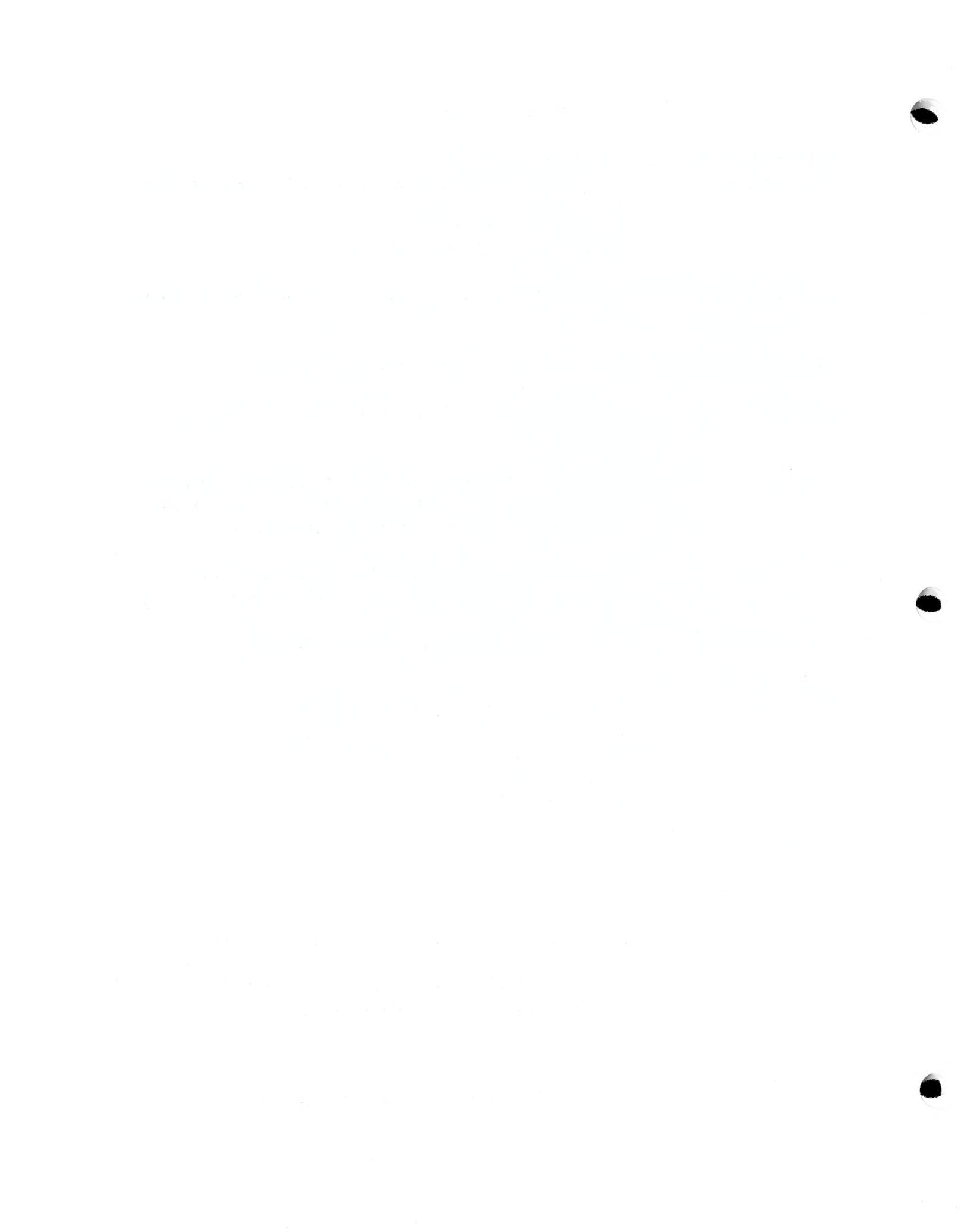
Regulatory Reference:

Activities Covered: Any and all culture of marine and fresh water species.

Process: Application obtained, staff review, approval/denial conditions of permit - annual reporting, renewal

Fees: None

Other Information: This permit addresses the possession of protected species.



SOUTH CAROLINA

1. NAVIGABLE WATERS PERMIT

Issuing Agency:	Bureau of Water Pollution Control Department of Health and Environmental Control 2600 Bull Street Columbia, SC 29201 (803)734-5300 FAX (803)734-5216
Statutory Reference:	Article 14, Section 4 of the South Carolina Constitution, 49-1-10 1976 Code of Laws.
Regulatory Reference:	SC R. 19-450
Activities Covered:	Permits are required for dredging, filling or construction in, on or over a navigable waterway.
Process:	No separate application is necessary for activities which also receive Section 401 Water Quality Certification, Coastal Zone Consistency Certification or another permit from SCDHEC. Activities affecting navigable waters which are not otherwise subject to SCDHEC review will require separate application.
Fees:	\$500 for commercial or industrial activities; \$50 for noncommercial activities.
Other Information:	Construction must be completed within three years; authorization of activity is for 10 years.

2. CRITICAL AREA PERMIT

Issuing Agency:	Office of Ocean and Coastal Resource Management (OCRM) Department of Health and Environmental Control 4130 Faber Place, Suite 300 Charleston, SC 29405 (803)744-5838 FAX (803)744-5847
Statutory Reference:	Federal Coastal Zone Management Act of 1972, as amended; Section 48-39-10 et seq. of the SC Code of laws, 1976, as amended.
Regulatory Reference:	SC R. 30-1 through 30-20.

Activities Covered:	Any alteration of the critical areas (coastal waters, tidelands and beaches and dunes) of the state.
Process:	An applicant is required to submit a Critical Area Permit application to the OCRM.
Fees:	Fees vary from \$50 for a private single family non-commercial activity, \$200 for commercial activity, \$500 for industrial activities and marinas.
Other Information:	In those cases where both a Section 401 Water Quality Certification and a Critical Area Permit are required, the two are combined into a Critical Area Permit. Permits are valid for five years.
3. <u>COASTAL ZONE CONSISTENCY CERTIFICATION</u>	
Issuing Agency:	Office of Ocean and Coastal Resource Management (OCRM) Department of Health and Environmental Control 4130 Faber Place, Suite 300 Charleston, SC 29405 (803)744-5838 FAX (803)744-5847
Statutory Reference:	Federal Coastal Zone Management Act of 1972, as amended; Section 48-39-10 et seq. of the SC Code of Laws, 1976, as amended; SC Coastal Zone Management Program Document (policies and regulations).
Regulatory Reference:	Federal 15 CFR 930.
Activities Covered:	Any project taking place in the eight coastal counties which requires any state or federal permit, to include any direct federal activities and any federally licensed or funded projects.
Process:	A separate application is not required for a coastal zone consistency determination.
Fees:	None.

Other Information: In those cases where both a Section 401 Water Quality Certification and coastal Zone Consistency Certification are required, the two are combined into a "State Certification." A state or federal permit cannot be issued in the eight coastal counties without coastal zone consistency certification.

4. SECTION 401 WATER QUALITY CERTIFICATION

Issuing Agency: Bureau of Water Pollution Control
Department of Health and Environmental Control
2600 Bull Street
Columbia, SC 29201
(803)734-5300 FAX (803)734-5216

Statutory Reference: Federal Water Pollution Control Act of 1972 as amended by the Clean Water Act of 1977 and the Water Quality Act of 1987.

Regulatory Reference: SC R.61-101

Activities Covered: Proposed construction or operation of any activity which may result in any discharge into navigable waters for which a federal permit is being sought must receive certification that applicable state water quality standards will not be violated.

Process: Separate application not required if an applicant has applied to the U.S. Army Corps of Engineers; the federal permit application serves as application for Section 401 Water Quality Certification review. Applicants for other federal permits or licenses must apply directly to SCDHEC. Time required for processing; up to 180 days; more than 180 days if a hearing is required.

Fees: \$500 for major activities; \$50 for minor activities.

Other Information:	Some projects requiring permit or license and water quality certification may also require a Critical Area Permit, Coastal Zone Consistency Certification or a Navigable Waters Permit. In those cases where both a Section 401 Water Quality Certification and Coastal Zone Consistency Certification are required, the two are combined into a "State Certification." In those cases where both a Section 401 Water Quality Certification and a Critical Area Permit are required, the two are combined into a Critical Area Permit. Navigable Waters Permit issues will be considered in the Section 401 Water Quality Certification. A federal permit cannot be issued without Section 401 Water Quality Certification.
5. <u>NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT</u>	
Issuing Agency:	Bureau of Water Pollution Control Department of Health and Environmental Control 2600 Bull Street Columbia, SC 29201 (803)734-5300 FAX (803)734-5216
Statutory Reference:	Federal Water Pollution Control Act of 1972 as amended by the Clean Water Act of 1977 and the Water Quality Act of 1987; SC Water Pollution Control Act.
Regulatory Reference:	SC R.61-9.
Activities Covered:	Wastewater discharge.
Process:	Complete and submit a NPDES application for an individual NPDES permit. Time required for processing: up to 180 days; more than 180 days if a hearing is required. Permit is issued for five years.
Fees:	The fee varies from \$400 per pipe to a maximum of \$1,600 per pipe based on the amount of water to be discharged. For permits with more than five discharge pipes, the fee is \$1,200 plus \$600 per discharge pipe over five pipes.
Other Information:	Federal (U.S. EPA) regulatory exemptions apply. The state is now exploring the possibility of establishing a General permit for certain types of aquacultural activities.

6. STATE STORM WATER MANAGEMENT AND SEDIMENT REDUCTION ACT PERMIT

Issuing Agency: Bureau of Water Pollution Control
Department of Health and Environmental Control
2600 Bull Street
Columbia, SC 29201
(803)734-5300 FAX (803)734-5216

Statutory Reference: SC Stormwater Management and Sediment Reduction Act of 1992, Title 48, Chapter 14.

Regulatory Reference: Regulation Document No. 1416 of Chapter 72 (SC State Register, Vol. 16, Issue 6, June 26, 1992).

Activities Covered: Any land disturbing activity, disturbing an area of two or more acres.

Process: One copy of a completed Stormwater Management and Sediment Reduction Application and fee, with one copy of plans, specifications, design reports and calculations prepared by a registered Professional Engineer, Tier B Professional Land Surveyor or by a Landscape Architect (as defined by the appropriate of each) must be submitted.

Fees: \$50 per disturbed acre to a maximum of \$1,000 per project.

Other Information: The discharge of stormwater must meet a minimum standard for quantity and quality.

7. GROUNDWATER USE PERMIT

Issuing Agency: Bureau of Drinking Water Protection
Department of Health and Environmental Control
2600 Bull Street
Columbia, SC 29201
(803)734-5310 FAX(803)734-5216

Statutory Reference: The Groundwater Use Act of 1969 (Chapter 5 of Title 49, Section 49-5-10 of SC Code of Laws, 1976, as amended).

Regulatory Reference: Regulations in Chapter 121, Section 49-5-10 et seq., 1976 SC Code of Laws, as amended.

Activities Covered:	Any operation that is designed to withdraw and use groundwater equal to: (a) 100,000 gallons of water per day, on any given day; (b) one million gallons each month in any month; or (c) ten million gallons in any twelve consecutive months, in designed "Capacity Use Areas".
Process:	Complete and submit a permit application. Time required for processing: 30-45 days; 45-60 days if a hearing is necessary.
Fees:	None.
Other Information:	Five of the state's eight coastal counties are located in "Capacity Use Areas". Permits to operate may be issued for up to ten years.
8. <u>SHELLFISH SANITATION - CERTIFICATES AND PERMIT</u>	
Issuing Agency:	Bureau of Water Pollution Control Department of Health and Environmental Control 2600 Bull Street Columbia, SC 29201 (803)734-5300 FAX (803)734-5216
Statutory Reference:	Section 44-1-140, SC Code of Laws, 1976.
Regulatory Reference:	SC R. 61-47; SC R. 61-49.
Activities Covered:	Certificates are required to: depurate bivalve shellfish taken from restricted harvesting areas (issued jointly with the Division of Marine Resources, SCDNR); operate shellfish, blue crab, alligator or fish processing facilities; and to engage in the distribution of shellfish. Permits are required to: transplant shellfish from restricted waters to approved waters; and to construct depuration facilities.
Process:	Complete and submit a permit application. Time required for processing: 14-21 days.
Fees:	None.
Other Information:	Each certificate and permit will contain various stipulations. All Certificates are issued on a one year, renewable basis. Permits are issued for a duration specific to each permit.

9. SHELLFISH CULTURE/MARICULTURE PERMIT

Issuing Agency: Division of Marine Resources
Department of Natural Resources
P.O. Box 12559
217 Fort Johnson Road
Charleston, SC 29412
(803)762-5029 FAX(803)762-5412

Statutory Reference: Chapter 17, Article 3, Sections 50-17-310 et seq., SC Code of laws, 1976, as amended.

Regulatory Reference: SC R. 123-34.

Activities Covered: The use of intertidal and subtidal bottoms underlying the coastal saltwaters of the state.

Process: Complete and submit a shellfish culture/mariculture permit application. Time required for processing: 45-60 days.

Fees: \$25 application fee; \$5 per acre annual rental fee.

Other Information: Maximum acreage per applicant is 500 acres. Permittee must be a resident of South Carolina, be licensed to do business in the state and must be engaged in the commercial fishing industry.

10. MARICULTURE FINFISH PERMIT

Issuing Agency: Division of Marine Resources
Department of Natural Resources
P.O. Box 12559
217 Fort Johnson Road
Charleston, SC 29412
(803)762-5029 FAX(803)762-5412

Statutory Reference: Chapter 17, Article 3, Section 50-17-520, SC Code of laws, 1976, as amended.

Regulatory Reference: N/A

Activities Covered: Special permits are required for the collection of spotted sea trout and red drum with commercial fishing equipment or import of either species for broodstock or culture purposes.

Process:	Complete and submit a permit application. Time required for processing: 7-14 days.
Fees:	None.
Other Information:	N/A
11. HYBRID STRIPED BASS AQUACULTURE CERTIFICATE AND PERMIT	
Issuing Agency:	<p>Executive Office Department of Natural Resources P.O. Box 167 Columbia, SC 29202 (803)734-4008 FAX(803)734-6310</p>
Statutory Reference:	Chapter 18, Article 1, Section 50-18-10 through 50-18-200, Sc Code of Laws, 1976, as amended.
Regulatory Reference:	N/A
Activities Covered:	A Permanent Certificate of Permission is required to engage in a business trafficking in hybrid striped bass. A permit is required for producing or processing hybrid striped bass.
Process:	Complete and submit a permit application on forms made available by the Department.
Fees:	None for the Permanent Certificate of Permission; \$100 (annually) for Hybrid Striped Bass Permit.
Other Information:	There are many provisions and stipulations established in state law to which hybrid striped bass culturists must adhere. Contact with the department prior to the submission of an application is advisable.
12. MARICULTURE SHELLFISH PERMIT	
Issuing Agency:	<p>Division of Marine Resources Department of Natural Resources P.O. Box 12559 217 Fort Johnson Road Charleston, SC 29412 (803)795-6350 FAX(803)762-5412</p>
Statutory Reference:	Chapter 17, Article 3, Sections 50-17-366 and 50-17-367, SC Code of Laws, 1976, as amended.

Regulatory Reference: N/A

Activities Covered: Special Division permits are required to possess, purchase, sell or transplant clams of less than the legal size limit (1" thickness) for nursery or growout purposes, or to harvest, possess and sell shellfish during the closed shellfish season.

Process: Complete and submit a permit application. Time required for processing: 7-14 days.

Fees: None.

Other Information: N/A

13. SHELLFISH HARVESTING PERMIT

Issuing Agency: Division of Marine Resources
Department of Natural Resources
P.O. Box 12559
217 Fort Johnson Road
Charleston, SC 29412
(803)762-5409 FAX(803)762-5412

Statutory Reference: Chapter 17, Article 3, Section 50-17-360, SC Code of laws, 1976, as amended.

Regulatory Reference: N/A

Activities Covered: Commercial gathering of shellfish on state-owned lands.

Process: Complete and submit a permit application. Time required for processing: 7-14 days.

Fees: \$25.50 annual license fee.

Other Information: Not required for shellfish culture or mariculture permit holders. Written permission from the permit holder is required to gather shellfish on bottoms already under a Shellfish Culture/Mariculture Permit.

14. HARVESTING EQUIPMENT PERMIT

Issuing Agency: Division of Marine Resources
Department of Natural Resources
P.O. Box 12559
217 Fort Johnson Road
Charleston, SC 29412
(803)762-5029 FAX(803)762-5412

Statutory Reference: Chapter 17, Article 3, Section 50-17-360, 50-17-210, SC Code of laws, 1976, as amended.

Regulatory Reference:

Activities Covered: Using dredges, hydraulic escalators, patent tongs, or any other mechanically operated devices for taking shellfish from any bottom (PERMIT); and using power boats or other vessels equipped with commercial fishing equipment for taking shellfish (LICENSE).

Process: Complete and submit a permit application. Time required for processing: 7-14 days.

Fees: License fees: \$20 for boats under 18 foot; \$25 for boats over 18 foot; plus \$10 each, equipment fee.

Other Information: N/A

15. IMPORTATION OF EXOTIC SPECIES PERMIT

Issuing Agency: Executive Office
Department of Natural Resources
P.O. Box 167
Columbia, SC 29202
(803)734-4008 FAX(803)734-6310

Statutory Reference: Chapter 16, Sections 50-16-10 through 50-16-70.

Regulatory Reference: N/A

Activities Covered: Possession, transport or otherwise bring into the state any wildlife (including fish, mollusks and crustaceans) that is not already found in, or is not native to, the state.

Process: Complete and submit a permit application. Time required for processing: 7-14 days.

Fees: None.

Other Information: A number of specific conditions must be met in order to receive an importation permit. For crustaceans (primarily non-native marine shrimp), a set of operating conditions are required. The Division is now in the process of establishing like guidelines for molluscan shellfish.

16. DEALER/PROCESSOR LICENSES

Issuing Agency: Division of Marine Resources
Department of Natural Resources
P.O. Box 12559
217 Fort Johnson Road
Charleston, SC 29412
(803)762-5078 FAX(803)762-5412

Statutory Reference: Chapter 17, Article 2, Section 50-17-180.

Regulatory Reference: N/A

Activities Covered: Processing and/or sale of fresh or frozen saltwater fishery products.

Process: Complete application and pay license fee.

Fees: Wholesale Seafood Dealer License - \$50
Land and Sell License - \$25

Other Information: Requires certification by the SC DHEC (see section 8 above).

17. GAMEFISH BREEDER'S LICENSE

Issuing Agency: Division of Wildlife and Freshwater Fisheries
Department of Natural Resources
Rembert C. Dennis Building
P.O. Box 167
Columbia, SC 29202
(803)734-3886 FAX(803)734-6020

Statutory Reference: Chapter 13, Section 50-13-1750

Regulatory Reference: N/A

Activities Covered: License is required of any person who wants to sell, offer for sale, barter and transport gamefish for strictly stocking or restocking purposes.

Process: Complete and submit a permit application. Time required for processing: 14-21 days; 21-90 days if a public hearing is necessary.

Fees: Annual fee \$25.

Other Information: No gamefish more than four inches in overall length can be sold (with exceptions).

SOUTH DAKOTA

1. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

Issuing Agency: U.S. EPA, Region VIII, Water Management Division, NPDES Branch

One Denver Place - Suite 500,999 - 18th Street,
Denver, CO 80202-2466
(303)293-1432 FAX (303)294-1386

Statutory Reference: Section 402 of the Clean Water Act

Regulatory Reference: 40 CFR 122

Activities Covered: Aquaculture facilities as defined in 40 CFR 122.24 and 122.25 that discharge to waters of the U.S. and construction activities disturbing 5 or more acres.

Process: 1) Review application 2) Visit site 3) Draft permit
4) Public notice permit, hold hearing, if requested 5) Issue permit

Fees: None

Other Information: Plans and specifications for any wastewater treatment facilities must be approved by the Dept. of Environment and Natural Resources prior to construction. The state is working toward receiving NPDES and National Pretreatment Program delegation from EPA by July of 1993. Upon delegation, state issued permits will replace EPA issued permits. There will be an annual permit fee for state issued permits. Upon delegation, 401 water quality certification will also be done by the state.

2. RESIDENT WHOLESALE BAIT DEALER

Issuing Agency: Department of Game Fish and Parks
Licensing Office
412 West Missouri
Pierre, SD 57501
(605)773-3393 FAX (605)773-6245

Statutory Reference: SDCL 41-6-44

Regulatory Reference: ARSD 41:09:04

Activities Covered: **Statutes: Privileges granted - Rules - Violations. Rules: Taking, possession, transportation, fees, water open to fishing, legal equipment, endangered species records and violations**

Process: **Application reviewed and reports received**

Fees: **\$200/year**

Other Information:

3. HEALTH CERTIFICATE AND IMPORT PERMIT

Issuing Agency: **Animal Industry Board
411 South Fort Street
Pierre, SD 57501
(605)773-3321 FAX (605)773-5459**

Statutory Reference: **SOCL 40-5-8**

Regulatory Reference: **12-68:06**

Activities Covered: **Importation**

Process: **Contact state veterinarians office at Animal Industry Board.**

Fees: **None**

Other Information:

4. PRIVATE FISH HATCHERY LICENSE

Issuing Agency: **Dept. of Game, Fish and Parks
Licensing Office
412 West Missouri
Pierre, SD 57501
(605)773-3393 FAX (605)773-6245**

Statutory Reference: **SDCL 41-6-39**

Regulatory Reference: **ARSD 41:09:07**

Activities Covered: Statutes: Private Hatchery license: Privileges granted - violations as misdemeanor. Rules apply to persons licensed to operate a private fish hatchery, license fees and expiration, sale of fish, records and reports.

Process: Application review and site visitation prior to issuance of initial license.

Fees: \$50/year

Other Information: Technical assistance provided on limited bases.

5. SALMONID IMPORTATION PERMIT

Issuing Agency: Department of Game, Fish and Parks
445 East Capital
Pierre, SD 57501
(605)773-4508 FAX (605)773-6245

Statutory Reference: SDCL 41-13-3.1

Regulatory Reference: ARSD 41:09:08

Activities Covered: Statute: Importation of fish or eggs of the family salmonidae. Rules: salmonidae importation prohibited without permit, disease certification required, packing, inspection, violations and exempt shipments.

Process: Application requires current fish disease certification from egg and/or fish source by US F&WS certified pathologist to be free of emergency prohibited fish pathogens or diseases listed.

Fees: None

Other Information: Technical assistance provided to in-state private hatchery operator in obtaining disease certification for out of state shipments.

6. RETAIL BAIT DEALER LICENSE

Issuing Agency: Department of Game, Fish and Parks
Licensing Office
412 West Missouri
Pierre, SD 57501
(605)773-3393 FAX (605)773-6245

Statutory Reference: SDCL 41-6-45

Regulatory Reference: ARSD 41:09:04

Activities Covered: Statutes: Privileges granted, Sales prohibited - Rules - age exemption. Rules: Taking, possession, transportation, holding fees, public water open to baitfishing, equipment records and violations.

Process: Applications reviewed and reports received.

Fees: \$20/year

Other Information:

7. NONRESIDENT WHOLESALE BAIT DEALER LICENSE

Issuing Agency: Department of Game, Fish and Parks
Administration/Licensing
412 West Missouri
Pierre, SD 57501
(605)773-3393 FAX (605)773-6245

Statutory Reference: SDCL 41-6-44.1

Regulatory Reference: ARSD 41:09:04

Activities Covered: Statute: Privileges granted - Rules - violations. Rule: Possession, transportation, fees, records required, and violations.

Process: Applicants must come from states that provide equal opportunity to South Dakota residents. Application reviewed and approved annually.

Fees: \$400/year

Other Information:

8. EXPORT BAIT DEALER LICENSE

Issuing Agency: Department of Game, Fish and Parks
Licensing Office
412 West Missouri
Pierre, SD 57501
(605)773-3393 FAX (605)773-6245

Statutory Reference: SDSL 41-6-45.1

Regulatory Reference: ARSD 41:09:04

Activities Covered: Statutes: Privileges granted - Rules - violations. Rules: Possession, transportation, fees, records, and reports.

Process: Applications reviewed along with annual reports.

Fees: \$300

Other Information:

9. CONTRACT COMMERCIAL FISHING FOR ROCK FISH AND BULLHEADS

Issuing Agency: Department of Game, Fish and Parks
Wildlife
412 West Missouri
Pierre, SD 57501
(605)773-4508 FAX (605)773-6245

Statutory Reference: SDSL 41-13-7 thru 10

Regulatory Reference:

Activities Covered: Statutes: Supervision, bond required, equipment tagging, sale and transportation of fish, deposition of game fish taken.

Process: Contracts on specific waters for specific times and amounts of fish.

Fees: 1/4 + 1 cent per pound of fish harvested.

Other Information:

10. HOOP NET, TRAP AND SETLINE LICENSE

Issuing Agency: Department of Game, Fish and Parks
Licensing Office
412 West Missouri
Pierre, SD 57501
(605)773-3393 FAX (605)773-6245

Statutory Reference: SDCL 41-6-38

Regulatory Reference: ARSD 41:07:08

Activities Covered: Statute: Privileges tagging of gear - violations. Rules: license eligibility and fees, amount and sizes devices - size limit - species - sales - records areas open to fishing.

Process: License application

Fees: \$10/net, \$5/setline

Other Information:

TENNESSEE

1. RESIDENT FISH DEALER LICENSE

Issuing Agency: Wildlife Resources Agency
Ellington Agricultural Center
P.O. Box 40747
Nashville, TN 37204
(615)781-6586 FAX (615)741-4606

Statutory Reference: Tennessee Code Annotated 70-2-221

Regulatory Reference: TWRA Rule 1660-1-26

Activities Covered: Allows for the selling of living aquatic life for bait, legal species of fish by catch-out operators, and legal species reared for farm pond stocking and food.

Process: Request application from TWRA's License Division.
Complete and return application and fee to TWRA.

Fees: Resident \$20 Non-resident \$250.

Other Information:

2. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

Issuing Agency: Department of Environment and Conservation
Division of Water Pollution Control
401 Church Street, 6th Floor, L & C Annex
Nashville, TN 37243-1534
(615)532-0665

Statutory Reference: Tennessee Water Quality Control Act

Regulatory Reference:

Activities Covered: Allows a fish farmer to discharge water used in his operation into a receiving body water.

Process: Contact Water Pollution Control and apply for a permit.

Fees: \$500 to \$1000 depending on discharge rates.

Other Information:



TEXAS

1. **FOOD-MANUFACTURING REGISTRATION**

Issuing Agency: Department of Health
Division of Food and Drugs
1100 W. 49th St.
Austin, TX 78756-3182
(512)458-7248

Statutory Reference: Texas Food, Drug, and Cosmetic Act (Article 4476-5, 21USC) (301 et. seq)

Regulatory Reference:

Activities Covered: Anyone wishing to process aquatic species for sale for human consumption.

Process: Submit application.

Fees: \$25 to \$500

Other Information:

2. **WATER-USE PERMIT 401 CERTIFICATION**

Issuing Agency: Water Commission
Applications Units/Water Use Section
P.O. Box 13087, Capitol Station
Austin, TX 78711-3087
(512)371-6379

Statutory Reference: Water Commission (section 404 clean water act, as amended)

Regulatory Reference:

Activities Covered: Use of state waters, diversion, impoundment

Process: Submit application

Fees: \$100

Other Information:

3. SAND, GRAVEL, SHELL AND MARL PERMIT

Issuing Agency: Parks and Wildlife Department
Resource Protection Branch
4200 Smith School Road
Austin, TX 78744
(512)389-4864

Statutory Reference: Texas Parks and Wildlife Code (Section 86.002)

Regulatory Reference: Sections 57.65-57.67 Title 31, Texas Administrative Code

Activities Covered: Any disturbance and removal of materials from state waters.

Process: Submit application

Fees: Sand and Gravel Permit: \$0.20/cubic yard - 2 years
Shell or Mud Shell Permit: \$1.71/cubic yard - 1 year
Marl: \$0.25/cubic yard - 1 year

Other Information: No fees assessed when materials are returned to state lands such as pipeline installations.

4. FISH-FARMER'S LICENSE

Issuing Agency: Department of Agriculture
P.O. Box 12847
Stephen F. Austin, Bldg.
Austin, TX 78711
(512)463-7483

Statutory Reference: Texas Agriculture Code Chapter 134 (Section 13.003(c) as amended)

Regulatory Reference:

Activities Covered: Any business involving transporting, possessing, selling, cultured fish raised in a private pond for resale, consumption or stocking purposes.

Process: Submit application and license fee to above address.

Fees: \$100 for 2 years; renewal fee \$100

Other Information: Usually process requires 1-2 weeks

5. PUBLIC LANDS LEASE

Issuing Agency: General Land Office
1700 North Congress Ave.
Stephen F. Austin Bldg.
Austin, TX 78701-1495
(512)475-1467

Statutory Reference: Texas Natural Resources Code (Chapter 33 & 51, et. seq.)

Regulatory Reference:

Activities Covered: Use of state owned lands including coastal submerged areas.

Process: Apply at address above. Lease will be granted upon field inspection and issuance of conditions by the General Land Office.

Fees: \$25 or \$50 filing fee plus an annual fee that is negotiable.

Other Information: Usually 2-3 months is required to obtain a lease or easement.

6. FISH-FARM VEHICLE LICENSE

Issuing Agency: Department of Agriculture
P.O. Box 12847
Stephen F. Austin Bldg.
Austin, TX 78711
(512)463-7483

Statutory Reference: Texas Agriculture Code 134

Regulatory Reference:

Activities Covered: Transport or sale from a vehicle of fish or shellfish from a fish farm. Holders of a fish farmers license are exempt.

Process: Submit application and license to above address.

Fees: \$100 for 2 years; renewal fee \$100

Other Information: Usually process requires 1-2 weeks. Transporters who do not engage in sales are required to carry a bill of lading identifying source and destination of fish.

7. MARKETING OF CULTURED REDFISH AND SPECKLED SEATROUT

Issuing Agency: Department of Agriculture
 P.O. Box 12847
 Stephen F. Austin Bldg.
 Austin, TX 78711
 (512)463-7483

Statutory Reference: Texas Agriculture Code Section 134.019

Regulatory Reference:

Activities Covered: Invoices for shipments, labelling, packaging required for importation and marking of vehicles.

Process: Follow Texas Department of Agriculture guidelines

Fees: None

Other Information:

8. PRIVATE OYSTER LEASES

Issuing Agency: Upper Coast (San Antonio Bay and North)
 Fisheries Director Region IV
 Texas Parks and Wildlife Department
 P.O. Box 8
 Seabrook, TX 78386
 (713)474-2811

Lower Coast (South of San Antonio Bay)
Fisheries Director Region V
Texas Parks and Wildlife Department
100 Navigation Circle
Rockport, TX 78382
(512)729-2328

Statutory Reference: Subchapter A, Chapter 76, Texas Parks and Wildlife Code

Regulatory Reference:

Activities Covered: Leasing of public submerged lands for oyster production.

Process:	Application will be made to Texas Parks and Wildlife Department with review by Department of Health, General Land Office and Corps of Engineers.
Fees:	No application fee. Applicant is responsible for cost of survey and will be assessed \$3/acre/year once oysters are harvested.
Other Information:	Processing requires from 3-6 months. Failure to produce or sell oysters within 5 years will terminate lease.

9. OYSTER TRANSPLANTING PERMIT

Issuing Agency:	Upper Coast (San Antonio Bay and North) Fisheries Director Region IV Texas Parks and Wildlife Department (TPWD) P.O. Box 8 Seabrook, TX 78386 (713)474-2811
	Lower Coast (South of San Antonio Bay) Fisheries Director Region V Texas Parks and Wildlife Department 100 Navigation Circle Rockport, TX 78382 (512)729-2328
Statutory Reference:	Subchapter B, Chapter 76, Texas Parks and Wildlife Code
Regulatory Reference:	
Activities Covered:	Taking oysters from public waters for the purpose of transplanting to a private oyster lease.
Process:	Application is made to TPWD giving applicant's name, purpose for taking oysters, quantity to be taken and location where oysters are to be placed. TPWD will coordinate with the Texas Department of Health as to water quality of the point of origin.
Fees:	No fees are charged
Other Information:	Permits usually issued within 7-10 days.

10. OYSTER HARVEST PERMIT

Issuing Agency: **Upper Coast (San Antonio Bay and North)
Fisheries Director Region IV
Texas Parks and Wildlife Department (TPWD)
P.O. Box 8
Seabrook, TX 78386
(713)474-2811**

**Lower Coast (South of San Antonio Bay)
Fisheries Director Region V
Texas Parks and Wildlife Department
100 Navigation Circle
Rockport, TX 78382
(512)729-2328**

Statutory Reference: **Subchapter B, Chapter 76, Texas Parks and Wildlife Code**

Regulatory Reference:

Activities Covered: **Harvesting oysters from private oyster lease.**

Process: **TPWD will coordinate Health Department to determine if the waters from which oysters will be taken have been approved for harvesting.**

Fees: **None**

Other Information: **Permit usually issued within 7-10 days. Expires upon completion of harvest.**

11. COMMERCIAL OYSTER BOAT LICENSE

Issuing Agency: **Law Enforcement, Field
License Sales
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744
(512)389-4822**

Statutory Reference: **Subchapter C, Chapter 76, Texas Parks and Wildlife Code**

Regulatory Reference:

Activities Covered:	Boats used for transporting or taking oysters for pay, sale, barter, exchange or any other commercial purpose from state-public waters by the use of dredges, tongs, or any other mechanical means. Covers the boat and crew including oyster lease holders.
Process:	No formal application. Boat's U.S. Coast Guard certification or state registration must be presented to obtain license. Licenses issued in August only.
Fees:	\$350 per boat or an amount set by the commission.
Other Information:	Licenses valid September 1 - August 31.

12. BROODFISH PERMIT

Issuing Agency:	Legal Counsel and Permits Branch Resource Protection Division Texas Parks and Wildlife Department 4200 Smith School Road Austin, TX 78744 (512)389-4633
Statutory Reference:	Section 43.551, Texas Parks and Wildlife Code
Regulatory Reference:	Sections 57.391, Title 31, Texas Administrative Code
Activities Covered:	Permits licensed fish farmers to take a limited number of finfish for broodstock from public waters.
Process:	Application is by letter containing the applicant's name and address, Fish Farmers License Number, species to be collected, location of collection, collection method, time period of collection, proposed use of broodstock and description of culture facilities.
Fees:	\$25 expires in 60 days
Other Information:	Broodstock may not be sold, bartered or exchanged. Permit must be carried by collector. Name of vessel and location must be furnished.

13. ALLIGATOR FARMER'S PERMIT

Issuing Agency: License Sales
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744
(512)389-4822

Statutory Reference: Section 65.002 Texas Parks and Wildlife Code

Regulatory Reference: Section 65.351-65.369 Texas Administrative Code

Activities Covered: Possession or propagation of alligators for the purpose of selling hides, meat or other parts of an alligator.

Process: Application in letter form should state the applicant's name, address, phone number, height, weight, hair color, eye color, sex, date of birth and location of facility. Facility inspection is required.

Fees: \$200 annual permit

Other Information: Permit issued 3-4 weeks following inspection.

14. EXOTIC SPECIES PERMIT

Issuing Agency: Legal Counsel and Permits Branch
Resource Protection Division
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744
(512)389-4633

Statutory Reference: Sections 66.007 and 66.015, Texas Parks and Wildlife Code
Section 134.020 Texas Agriculture Code

Regulatory Reference: Chapter 57.113, 57.114, 57.118, 57.129, Title 31, Texas
Administrative Code

Activities Covered: Possession, propagation, transportation and sale of certain allowable exotic species that are considered harmful or potentially harmful to native species including:
Blue Tilapia (*Tilapia aurea*)
Mozambique Tilapia (*Tilapia Mossambica*)
Mozambique X Aurea hybrids
Silver Carp (*Hypophthalmichthys molitrix*)
Black Carp (*Mylopharyngodon piceus*)
Bighead Carp (*Aristichthys/Hypothalmichthys nobilis*)
Triploid Grass Carp (*Ctenopharyngodon idella*)
Pacific White Shrimp (*Panaeus vannamei*) - disease free certification required

Process: Meet all exotic species permit application requirements including but not limited to:

- 1) Possess valid Texas-fish farmers license;
- 2) Submit accurate-to-scale plat of the fish farm which indicates measures to prevent escape;
- 3) Allow inspection of facility;
- 4) After inspection permit can be issued within 1-2 months.

Fees: Facility requiring inspection \$250
Facility not requiring inspection \$25

Other Information:

15. ALLIGATOR IMPORT PERMIT

Issuing Agency: License Sales
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744
(512)389-4822

Statutory Reference: Section 65.003 Texas Parks and Wildlife Code

Regulatory Reference: Sections 65.351-65.369, Title 31, Texas Administrative Code

Activities Covered: Required to bring live alligators or alligator parts into the state.

Process: Applications in letter form should state the applicant's name, address, phone number, height, weight, hair color, eye color, sex and date of birth.

Fees: \$25 annual fee - expires August 31

Other Information: Permit processing time 3-4 weeks

16. ALLIGATOR HIDE TAG

Issuing Agency: Alligator Program
Wildlife Division
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744
(512)389-4769

Statutory Reference: Section 65.002, Texas Parks and Wildlife Code

Regulatory Reference: Section 65.356, Title 31, Texas Administrative Code

Activities Covered: Tagging of all alligator hides

Process: Written request (form PWD 372) at least 30 days prior to harvest. Tags for mortalities can be obtained prior to removal of hide.

Fees: \$5

Other Information: Unused tags must be returned

17. WATER QUALITY CERTIFICATION

Issuing Agency: Texas Natural Resources Conservation Commission
Attn:
Section 401 Coordinator
P.O. Box 13087, Capitol Station
Austin, TX 78711-3087
(512)463-8238

Statutory Reference: Section 401 Clean Water Act

Regulatory Reference: Section 279, Title 31, Texas Administrative Code

Activities Covered: Any activity that requires a Section 404 permit from the U.S. Army Corps of Engineers (COE) also requires a Section 401 Certification for TNRCC that the proposed project does not cause a violation of the state's water quality standards.

Process: The Corps of Engineers publishes a joint Public Notice for activities requiring a Section 404 permit. The notice includes information for the TNRCC Sect. 401 certification.

Fees: None

Other Information: Most Section 401 certifications are issued within 60 days.

18. DISCHARGE PERMIT

Issuing Agency: Executive Director
Texas Natural Resources Conservation Commission
Attn: Watershed Management Division-Applications Unit
P.O. Box 13087, Capitol Station
Austin, TX 78711-3087

Statutory Reference: Section 11.121, Texas Water Code

Regulatory Reference: Chapter 321, Subchapter F, Title 31, Texas Admin. Code

Activities Covered: Discharge of wastes into or adjacent to the waters in the state including treatment, storage, or disposal by land application or evaporation. Aquaculture discharge (high quality flow-through) may be authorized by rules rather than permits.

Process: Prior to submitting a formal application a letter should be sent to the Watershed Management Division of TNRCC that requests permitting requirements. The letter should include a general description of the project, fish to be raised and feed rate, water source, discharge volume and duration, name and telephone number.

Fees:
\$150 new/amended application
\$115 renewal application
Public notice costs

Other Information: Time period could range from 6 - 18 months. Permit term is 5 years.

19. RECLAMATION -ENGINEER PERMIT

Issuing Agency: Reclamation Permit Engineer
Flood Management Groundwater Protection Program
Texas Section Natural Resources Conservation Commission
P.O. Box 13087, Capitol Station
Austin, TX 78711-3087
(512)463-4589

Statutory Reference: Section 16.236, Texas Water Code

Regulatory Reference: Section 301.53, Title 31, Texas Administrative Code

Activities Covered: Construction within the 100-year flood plain of any stream, river or flood prone area for the purpose of controlling, regulating or otherwise changing the flood water of the stream.

Process: The city or county Flood Plain Administrator in areas participating in the Federal Flood Insurance Program should be contacted for permit requirements. In all other jurisdictions contact TNRCC. A public hearing may be required.

Fees: \$100 plus \$1.25/page of the application
Applicant pays for public notices.

Other Information: Time to process an application is 6-18 months.

20. WATER USE PERMIT

Issuing Agency: Texas Natural Resources Conservation Commission
Attn: Permitting Section, Watershed Management Division
P.O. Box 13087, Capitol Station
Austin, TX 78711-3087

Statutory Reference: Section 11.1421, Texas Water Code
Sections 11.121 and 11.143, Texas Water Code

Regulatory Reference:

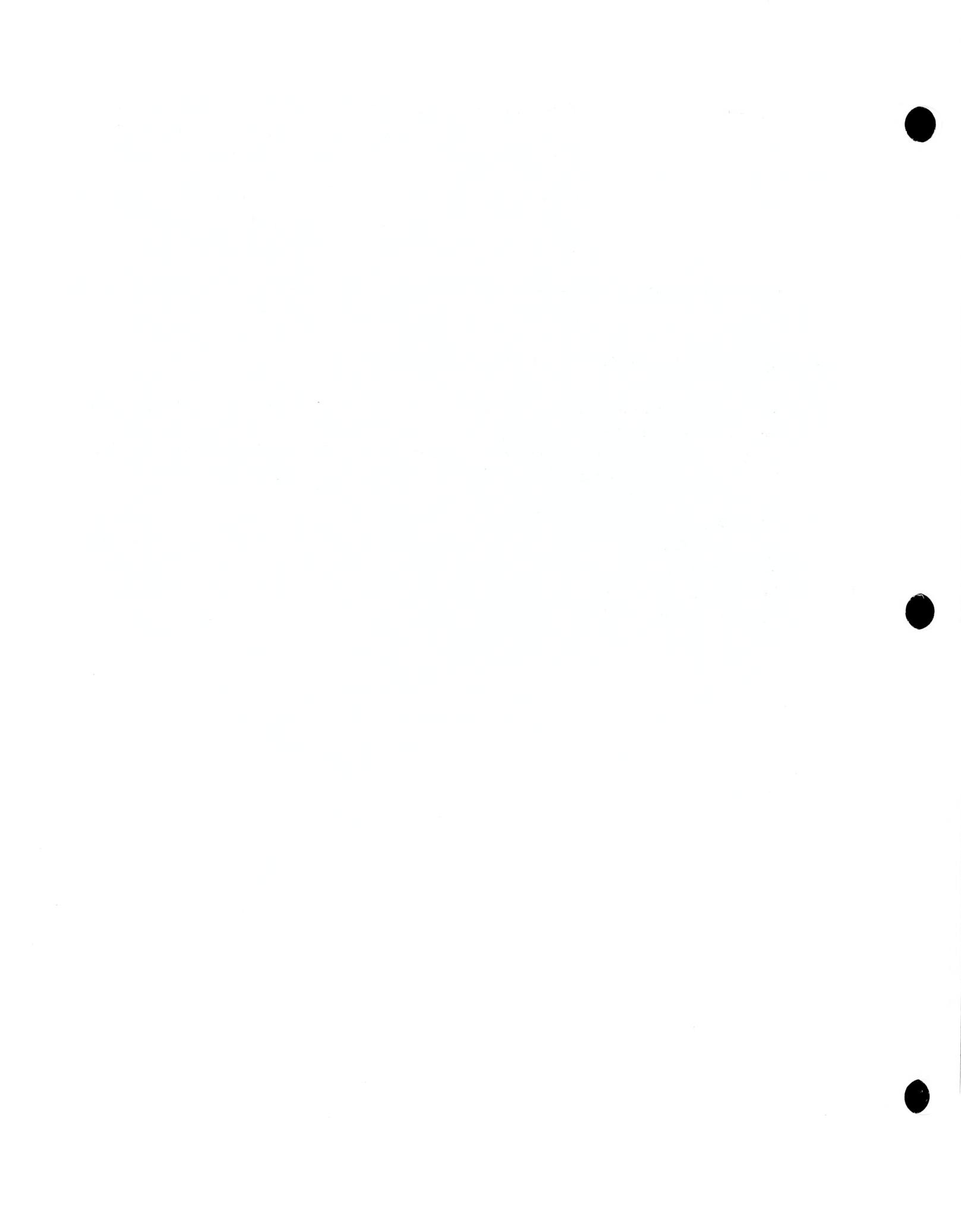
Activities Covered: Diversion, impoundment and/or use of all state waters. Brackish or marine waters for land based aquaculture is exempt from permits. (A notice to TNRCC and annual report of usage is required)

Process:	Forms for brackish or marine water use and applications for water use permits are to be submitted to the above issuing agency (TNRCC). Public notice in a newspaper is required.
Fees:	\$100 application fee plus \$1.25/page of application. Cost of public notice is responsibility of applicant. Storage fee \$0.50/acre foot. Use Fee - \$1.00/acre foot diverted.
Other Information:	Time to process application could be from 6 months up to 18 months if a public hearing is necessary.

MISCELLANEOUS PERMITS,LICENSES,APPROVALS

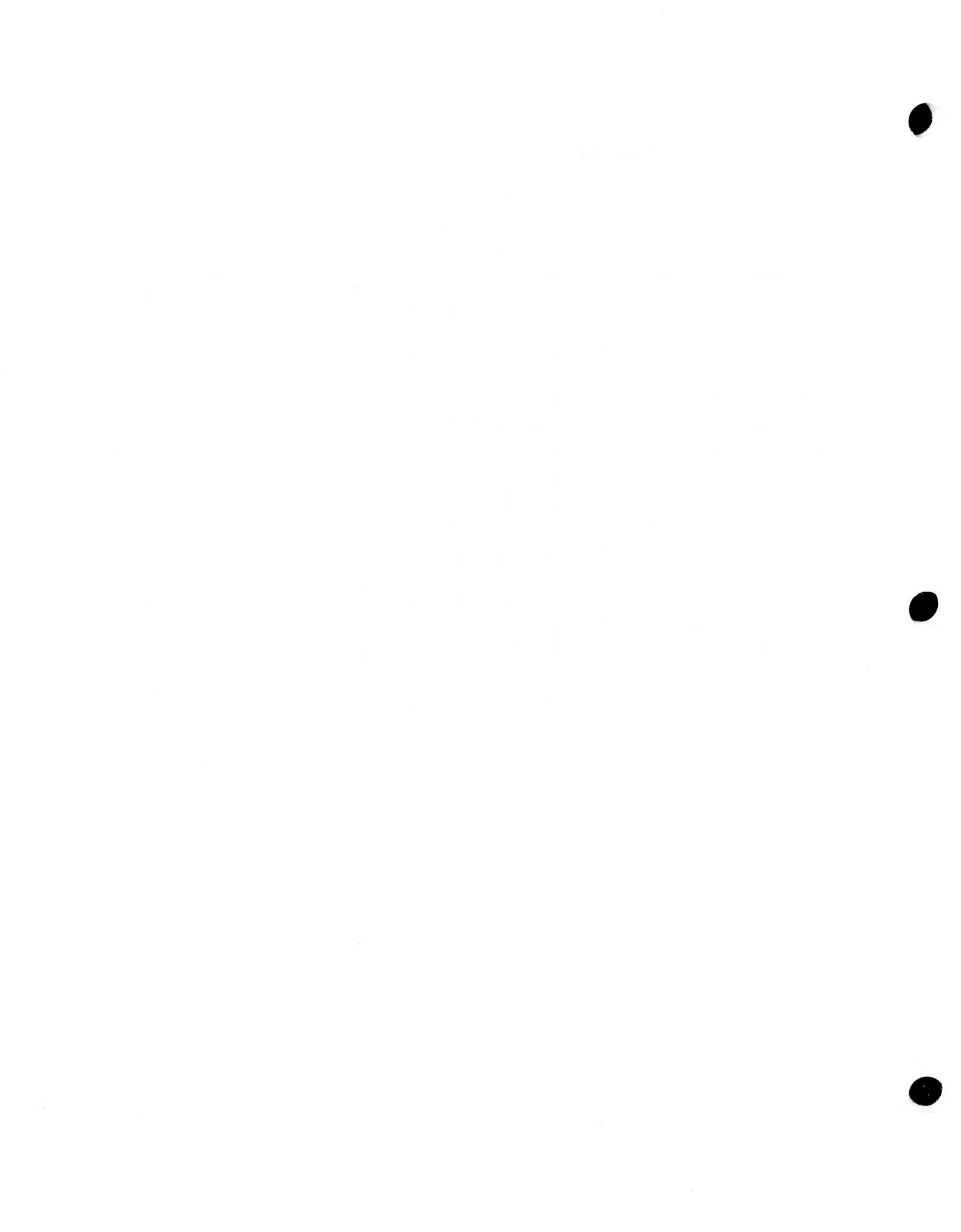
Aquaculture producers may be subject to other permits, licenses or approvals. For information about requirements for packing, processing or marketing aquaculture products contact the Texas Department of Health, 1100 West 49th St., Austin, TX 78756, (512)458-7510 (shellfish), (512)458-7248 (all other products).

All federal, state and local loan, grant or construction applications are reviewed by the Texas Historical Commission and Antiquities Committee to determine if a known or suspected location of historic or archaeological significance might be impacted. For information contact the Texas Antiquities Committee, P.O. Box 12276 Capitol Station, Austin, TX 78711, (512)463-6098.



UTAH

In the process of writing regulations.



VERMONT

1. DAM OR POND CONSTRUCTION OR ENLARGEMENT (Pond Capacity)

Issuing Agency: Department of Environmental Conservation
VT Agency of Resources
103 South Main Street
Waterbury, VT 05676
(802)244-8755

Statutory Reference:

Regulatory Reference:

Activities Covered: When a pond impounds more than 500,000 cubic feet of water (approx. 10 to 11 acre feet), a permit is required.

Process:

Fees:

Other Information:

2. POND CONSTRUCTION IN A WETLAND

Issuing Agency: Department of Environmental Conservation
Water Quality Division/Wetlands Office
103 South Main Street
Waterbury, VT 05676
(802)244-6951

Statutory Reference:

Regulatory Reference:

Activities Covered:

Process: Check with town clerk, regional planning office or local USDA Soil Conservation Service Office to review wetland maps. Determine if property falls within or adjacent to a wetland.

Fees:

Other Information:

3. DISCHARGE TO STATE WATERS

Issuing Agency: **Department of Environmental Conservation
VT Agency of Natural Resources
103 South Main Street
Waterbury, VT 05676
(802)244-5674**

Statutory Reference:

Regulatory Reference:

Activities Covered: **Outletting your pond back into public water.**

Process:

Fees:

Other Information:

4. COMMERCIAL AQUACULTURE OPERATION

Issuing Agency: **Permit Expeditor, District Office
VT Agency of Natural Resources
103 South Main Street
Waterbury, VT 05676
(802)244-5674**

Statutory Reference:

Regulatory Reference:

Activities Covered: **Outletting your pond back into public water.**

Process:

Fees:

Other Information:

5. BUYING OR SELLING FISH

Issuing Agency: Fish and Wildlife Department
VT Agency of Natural Resources
103 South main Street
Waterbury, VT 05676
(802)244-7331

Statutory Reference:

Regulatory Reference:

Activities Covered: Purchase or sell salmon, trout and black bass only from licensed propagation farms.

Process:

Fees:

Other Information:

6. LICENSED PROPAGATION FARMING

Issuing Agency: Fish and Wildlife Department
VT Agency of Natural Resources
103 South main Street
Waterbury, VT 05676
(802)244-7331

Statutory Reference:

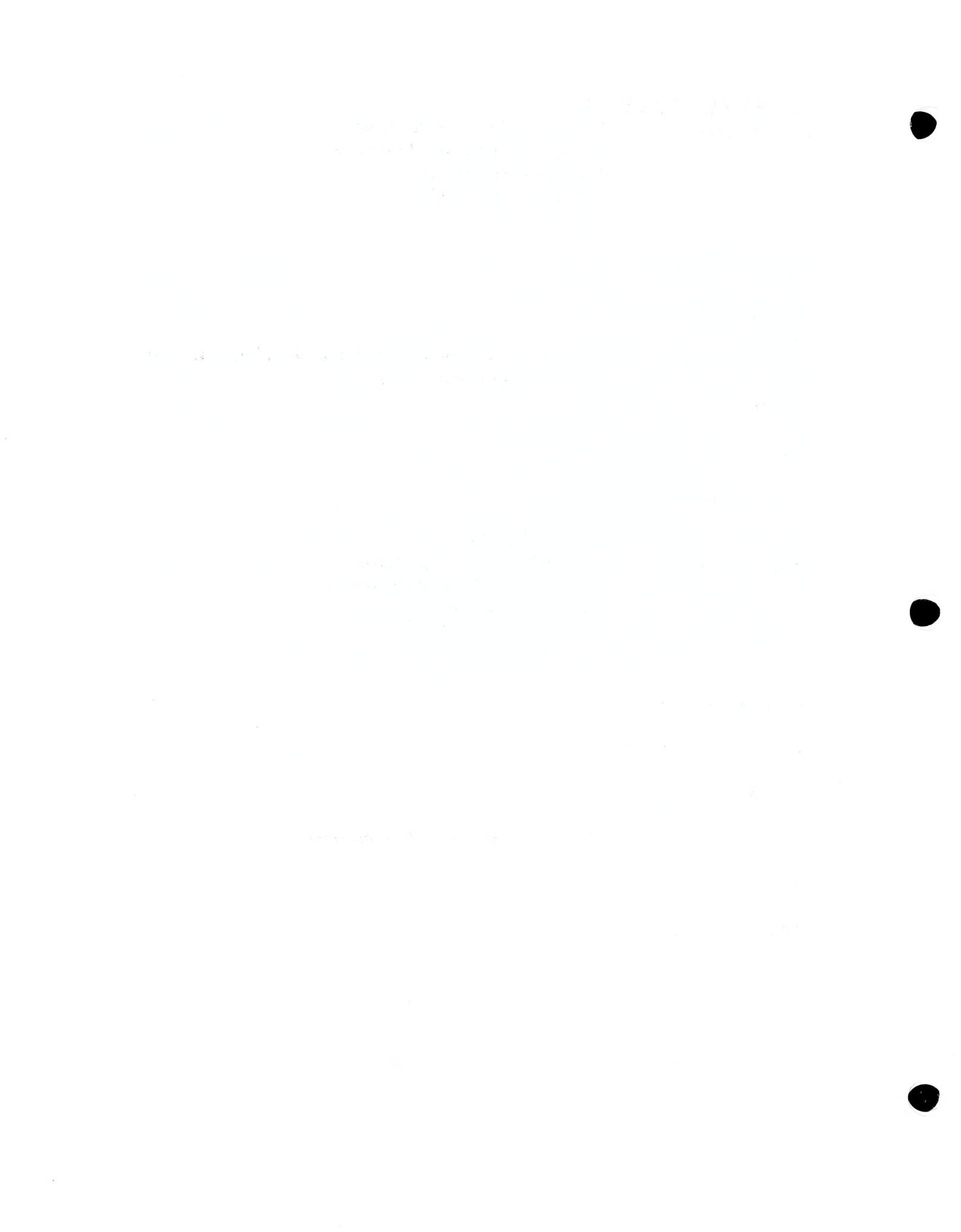
Regulatory Reference:

Activities Covered:

Process: Submit application to Commissioner

Fees:

Other Information:



VIRGIN ISLANDS

1. TERRITORIAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (TPDES)

Issuing Agency: Department of Planning & Natural Resources
Division of Environmental Protection
Building 111, Apt. 114 - Water Gut Homes
Christiansted, St. Croix 00820
(809)773-0565

Statutory Reference:

Regulatory Reference:

Activities Covered: Discharge of pollutants into the waters of U.S. Territories.

Process: Complete and submit EPA Form 3510-1 (Rev. 10-80)

Fees: N/A

Other Information: Normally, TPDES permits are required for aquaculture facilities which produce more than 100,000 lbs. per year.

2. JOINT COASTAL ZONE & U.S. ARMY CORPS OF ENGINEERS PERMIT

Issuing Agency: Department of Planning & Natural Resources
Division of Environmental Protection
Building 111, Apt. 114 - Water Gut Homes
Christiansted, St. Croix 00820
(809)773-0565

Statutory Reference:

Regulatory Reference:

Activities Covered: All activities in coastal waters, submerged lands and upland areas as defined for tier one and tier two of the coastal zone management plan.

Process: Requirements include: Form SAJSJ 983, drawings environmental assessment report (Form CZM-6), Form CZM-11, public hearing exhibit for major work, TPDES permit for large operations that discharge effluent into coastal water.

Fees: Range: \$10 - \$250 depending on location and size of activity.

Other Information: Specific types of permits include Minor Land Projects, Major Land Projects, Minor Coastal Water Projects and Major Coastal Water Projects.

VIRGINIA

1. HOLD AND SELL PERMIT (TROUT AND ALL GAME FISH)

Issuing Agency: Department of Game and Inland Fisheries
P.O. Box 11104
Richmond, Virginia 23230
(804)367-1292 FAX (804)367-2628

Statutory Reference: 29.1-417

Regulatory Reference: 325-03-02, Section 15 & 16

Activities Covered: Production and sale of game fish. Production of trout for sale as food. Allows for trout fishing at permittee's facility with no license requirement.

Process: Send permit application to VDGIF, site visit by enforcement officer.

Fees: \$10 per year, (except trout and catfish catch-out ponds where a Virginia fishing license is not required will be \$50/year).

Other Information: Records required and receipts to consumers.

2. EXOTIC FISH IMPORTATION & CULTURE (TILAPIA, GRASS CARP) PERMIT

Issuing Agency: Department of Game and Inland Fisheries
P.O. Box 11104
Richmond, Virginia 23230
(804)367-1292 FAX (804)367-2628

Statutory Reference: 29.1 - 417

Regulatory Reference: 325-03-1 Section 5

Activities Covered: Importation, possession and sale of tilapia (*genus Tilapia, Sarotherodon or Oreochromis*) and grass carp (*genus Ctenopharyngodon*)

Process: Grass carp-written application to Department, Tilapia-written application and site visit by biologist prior to approval.

Fees: \$10/year.

Other Information: Source(s) approval and records required. If tilapia are used for "grow out" and then sold, a \$10 "Hold and Sell" permit is also required.

3. FISH STOCKING AUTHORIZATION (ALL FISH SPECIES)

Issuing Agency: Department of Game and Inland Fisheries
P.O. Box 11104
Richmond, Virginia 23230
(804)367-1292 FAX (804)367-2628

Statutory Reference:

Regulatory Reference: VD 325-03-01, Section 6

Activities Covered: The stocking of any species of fish into "public" waters of the Commonwealth. This does not include stockings to privately owned ponds and lakes.

Process: Apply for stocking authorization letter through district or regional fisheries division offices.

Fees: No Fee.

Other Information: This permit also allows the protection of native aquatic populations in small streams from stocking of non-native trout species.

4. SCIENTIFIC COLLECTION PERMIT (WILD FISH & INVERTEBRATES)

Issuing Agency: Department of Game and Inland Fisheries
P.O. Box 11104
Richmond, VA 23230
(804)367-8351 FAX (804)367-9147

Statutory Reference: Section 29.1 - 412/Section 29.1-41
Section 29.1-418

Regulatory Reference:

Activities Covered: Research, environmental survey and museum collection of native and naturalized species.

Process: Application to VDGIF Policy Planning and Environmental Services Division.

Fees: None

Other Information: Processing period can be several months depending on the nature of the collections.

5. **ENDANGERED SPECIES COLLECTING PERMIT**

Issuing Agency: Department of Game and Inland Fisheries
P.O. Box 11104
Richmond, VA 23230
(804)367-8351 FAX (804)367-9147

Statutory Reference: Section 29.1-568

Regulatory Reference:

Activities Covered: Collection, transport and possession of endangered and/or threatened species.

Process: Complete permit application including support material. An extensive paper trail is also required.

Fees: Currently no fees however, a fee will be initiated in 1993.

Other Information:

6. **STRIPED BASS OR HYBRID STRIPED BASS (ANY RESTRICTED MARINE SPECIES WOULD REQUIRE PERMIT)**

Issuing Agency: Virginia Marine Resources Commission
Fisheried Management Division
P.O. Box 756
Newport News, VA 23607
(804)247-2243 FAX (804)247-2264

Statutory Reference:

Regulatory Reference: 450-01-0034

Activities Covered: Possession, Transport and Sales

Process:	Permit required. Site inspection, potential for escapement evaluated. Bill of sale for all transactions must accompany striped bass and hybrid striped bass products. (Including permit #).
Fees:	None
Other Information:	Permit application and a copy of regulations 0034 mailed upon request
7. <u>SUBAQUEOUS PERMIT TIDAL WETLANDS PERMIT</u>	
Issuing Agency:	Marine Resources Commission P.O. Box 756 Habitat Division (HM) Newport News, VA 23607 (804)247-2200 FAX (804)247-8062
Statutory Reference:	Chapter 12, Subtitle III of 28.2
Regulatory Reference:	Chapter 13, Subtitle III of 28.2
Activities Covered:	Encroachment in, on or over state-owned subaqueous bottoms; use or development of tidal wetlands.
Process:	Applicant contacts HM (VMRC) for jurisdictional determination and permit application is mailed (if required). Application is completed and returned to VMRC for evaluation and possible site inspection. Average turnaround 8 weeks.
Fees:	Subaqueous permit \$25-100. Wetlands permit fee \$10; additional fee may be required based upon size (square feet of encroachment).
Other Information:	

8. OYSTER PLANTING GROUND

Issuing Agency: Marine Resources Commission
 P.O. Box 756
 Engineering
 Newport News, VA 23607
 (804)247-2226 FAX (804)247-8062

Statutory Reference: Section 28.2-605 through 608

Regulatory Reference:

Activities Covered: Oyster and Clam harvest

Process: Request application from VMRC. Does not cover off bottom (3-D) culture. Special requests can be made to the Commission.

Fees: \$25 non-refundable, \$470 Survey fee (regardless of size), \$12 Recording fee, \$1.50 per acre/year rent.

Other Information: Grounds must be advertised in local newspaper, applicant pays cost.

9. POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR WASTEWATER DISCHARGE (> 20,000 lbs.)

Issuing Agency: State Water Control Board
 4900 Cox Road
 Glen Allen, VA 23060
 (804)527-5150 FAX (804)527-5293

Statutory Reference: Clean Water Act & Title 62.1 Code of Virginia Water Control Law

Regulatory Reference: 40 CFR 122 VR 680-14-01

Activities Covered: Coldwater and warmwater fish, shellfish farms, hatcheries.

Process: Owner files questionnaire, SWCB reviews for applicability. If applicable, owner files application. Board drafts permit. Public comment period. Permit issued for up to 5 year term.

Fees: **\$8,000 (Major)**
 \$3,500 (Minor) Production and Processing
 \$ 400 (General)
 No fee for production only

Other Information:

10. GROUNDWATER WITHDRAWAL PERMIT (>300,000 g/month)

Issuing Agency: State Water Control Board
 4900 Cox Road
 Glen Allen, VA 23060
 (804)527-5150 FAX (804)527-5293

Statutory Reference: **Groundwater Management Act of 1992 62.1-254**

Regulatory Reference: **VR 680-13-07 Groundwater Withdrawal Regulations (Draft)**

Activities Covered: Withdrawal greater than 300,000 gallons in any one month
 within a declared ground water management area. In
 general the Eastern Shore and the coastal plain east of I-95
 and south of the Mattaponi and York Rivers.

Process: Owner submits application, draft permit, comment period,
 permit issued.

Fees: **\$2,000 (No fee for production only).**

Other Information:

11. SURFACE WATER WITHDRAWAL PERMIT (>300,000 gallons/month)

Issuing Agency: State Water Control Board
 4900 Cox Road
 Glen Allen, VA 23060
 (804)527-5150 FAX (804)527-5293

Statutory Reference: **Water Control Law 62.1-242**

Regulatory Reference: **VR 680-15-03**

Activities Covered: Withdrawal greater than 300,000 gallons in any one month
 in a surface water management area - no surface water
 management areas have yet been declared.

Process: No surface water management areas designated yet.

Fees: \$4,000 (No fee for production only).

Other Information:

12. 401 CERTIFICATION (DREDGING OR FILLING IN WETLANDS) VIRGINIA WATER PROTECTION PERMIT (VWPP)

Issuing Agency: State Water Control Board
4900 Cox Road
Glen Allen, VA 23060
(804)527-5150 FAX (804)527-5293

Statutory Reference: Clean Water Act Section 401/62.1-44.15:15 Water Control Law

Regulatory Reference: VR 680-15-02

Activities Covered: Channel modifications, construction of ponds in wetlands, construction of permanent water withdrawal structures in streams, outfall structures in streams, construction of dams/reservoirs, road crossings.

Process: Submit a complete joint permit application, draft permit, public comment period, permit issued.

Fees: \$3,000 (Individual)
\$ 400 (General)
\$ 400 (Waiver)
No fee for production only

Other Information:

13. FOOD QUALITY, SANITATION

Issuing Agency: Department of Agriculture & Consumer Services
P.O. Box 1163
Richmond, VA 23209
(804)786-3520 FAX (804)371-7792

Statutory Reference: Code of Virginia 3.1-361 -- 3.1-419

Regulatory Reference: VR115-05-13 Food For Human Consumption

Activities Covered: Inspection of food manufacturers, warehouses and retail food stores, food product sampling, food product label review.

Process:

Fees: None

Other Information:

14. **WET STORAGE PERMIT, SHELL STOCK SHIPPER CERTIFICATION**

Issuing Agency: Department of Health
Division of Shellfish Sanitation
1500 East Main Street, Room 109
Richmond, VA 23219
(804)786-7937 FAX (804)786-5567

Statutory Reference: VA Code 28.2 - 801b

Regulatory Reference: Agency working memo, Regulations governing the sanitary control of oysters, clams and other shellfish.

Activities Covered: Storage of oysters intended for retail sale.

Process: Permit Application - Review - Issuance

Fees: N/A

Other Information:

15. **SEC. 10 OF THE RIVERS & HARBOR ACT, PERMIT FOR CONSTRUCTION BEYOND MHW IN NAVIGABLE WATERS OF THE UNITED STATES**

Issuing Agency: U. S. Army Corps of Engineers (C.O.R.E.)
803 Front Street
Attn: Regulatory Branch
Norfolk, VA 23510-1096
(804)441-7504 FAX (804)441-7678

Statutory Reference: 33 USC 403

Regulatory Reference: 33 CFR Parts 320-330

Activities Covered: All work beyond MHW in navigable waters of the U.S.

Process: Individual Permit or Regional Permit #19 reviews.

Fees: \$10 - \$100

Other Information:

16. DEPREDATION PERMIT (WILD ANIMAL PREDATION AT HATCHERIES)

Issuing Agency: U. S. Fish and Wildlife Service
Law Enforcement Division
8301 Willis Church Road
Richmond, VA 23231
(804)771-2481 FAX (804)795-1655

Statutory Reference: 16 USC 703-712

Regulatory Reference: 50 CFR Part 21

Activities Covered: Depredations by migratory birds.

Process: Application to U. S. Fish and Wildlife Service

Fees: \$25

Other Information: Mechanical and design structural components important in obtaining permits.

17. IMPORTATION PERMIT

Issuing Agency: U. S. Fish and Wildlife Service
Law Enforcement Division
8301 Willis Church Road
Richmond, VA 23231
(804)771-2481 FAX (804)795-1655

Statutory Reference: 16 USC 3372

Regulatory Reference: 50 CFR Part 16

Activities Covered: Importation of injurious fish and crustaceans.

Process: Permit application or certificate of health.

Fees: Vary

Other Information:



WASHINGTON

1. WATER QUALITY CERTIFICATION

Issuing Agency: Department of Ecology
Sediments Environmental Review Section
P.O. Box 47600
Olympia, WA 98504-7600
(206)493-2932 FAX (206)493-2967

Statutory Reference: Section 401 Clean Water Act

Regulatory Reference: WAC 173-225

Activities Covered: In-water construction that involves discharge of pollutants and needs a Corps permit.

Process: Apply for federal permit, Dept. of Ecology is then notified. If additional information is needed, Dept. of Ecology contacts applicant. If acceptable, approval or conditional certification is issued.

Fees: No charge

Other Information: Penalty: Federal permit not issued.

2. WATER QUALITY STANDARDS MODIFICATION

Issuing Agency: Department of Ecology
Water Quality Program
P.O. Box 47600
Olympia, WA 98504-7600
(206)438-7490 FAX (206)438-7490

Statutory Reference: RCW 90.48

Regulatory Reference: WAC 173-201

Activities Covered: Discharge of pollutants causing water quality below standard.

Process: Applicant applies to Dept. of Ecology.

Fee: No charge

Other Information: Penalty: Willful violation = crime punishable by a fine of up to \$10,000 and/or imprisonment for not more than a year (violation = ea. day). resource damage = liability to pay damages to replenish such resource. Civil penalty of up to \$10,000 per violation.

3. NAVIGATIONAL MARKINGS

Issuing Agency: U.S. Coast Guard
Commander (OAN) 13th Coast Guard District
Federal Bldg., 915 2nd Ave.
Seattle, WA 98174-1067
(206)553-5864 FAX (206)553-5866

Statutory Reference: 14 USC 85

Regulatory Reference:

Activities Covered: Fixed or floating structures in or over water.

Process:

Fees: No charge

Other Information: Penalty: Misdemeanor (up to \$100 per day).

4. FEDERAL DREDGE AND FILL PERMITS--SUBSECTION 10 OF THE RIVERS AND HARBOR ACT; SUBSECTION 404 OF THE CLEAN WATER ACT--(CONSOLIDATED PERMIT)

Issuing Agency: Army Corps of Engineers
CENPS-OP-RG, Regulatory Branch
4735 E. Marginal Way South
Seattle, WA 98134-2385
(206)764-3495 FAX (206)764-6602

Statutory Reference: Section 10 (33 USC 403; Section 404 (33 USC 1344)

Regulatory Reference:

Activities Covered: Placement of structures, excavation, deposit of dredge or fill material into navigable waters.

Process: Apply to the Army Corps of Engineers. Explain project, include site drawings (8-1/2 x 11) of proposed work, quantities of fill and amount of dredge. Corps evaluates and solicits comments from numerous federal and state agencies. Corps evaluates environmental and navigational impacts and generally, waits for state permits and certification before issuing permit.

Fees: No fee for government entities; for individual \$10; for commercial \$100.

Other Information: Penalty: Civil: up to \$10,000 per day. Criminal: \$2,500 - \$25,000 per day for willful or negligent violation (and/or 1 year imprisonment).

5. FISH DISEASE CONTROL

Issuing Agency: Department of Fisheries (develop jointly with Agriculture)
Hatchery Management Division
P.O. Box 43154
Olympia, WA 98504-3154
(206)902-2658 FAX (206)902-2943

Statutory Reference: RCW 75.58

Regulatory Reference:

Activities Covered:

Process:

Fees: No charge

Other Information: Penalty: Unless emergency, enforcement after opportunity for hearing.

6. REGISTRATION OF AQUATIC FARMERS

Issuing Agency: Department of Fisheries
Licensing Division
P.O. Box 43141
Olympia, WA 98504-3141
(206)902-2488 FAX (206)902-2942

Statutory Reference: RCW 75.58

Regulatory Reference: WAC 220-76

Activities Covered: The cultivation of private sector aquatic products.

Process: Apply to Dept. of Fisheries. (Name, contact person, DSHS, shellfish certification number, species, method, site location and site drawing.)

Fees: No charge

Other Information:

7. AQUACULTURE ID OF PRIVATE SECTOR PRODUCTS

Issuing Agency: Department of Agriculture
Market Development Division
P.O. Box 42560
Olympia, WA 98504-2560
(206)902-1932 FAX (206)902-2089

Statutory Reference: RCW 15.85

Regulatory Reference:

Activities Covered: Products cultivated by aquatic farmers which otherwise would be regulated by Fisheries or Wildlife.

Process: Follow regulations for labeling or sale documentation.

Fees: No charge

Other Information:

8. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

Issuing Agency: Department of Ecology
Water Quality Program
P.O. Box 47600
Olympia, WA 98504-7600
(206)438-7490 FAX (206)438-7490

Statutory Reference: 33 USC 1328; RCW 90.48

Regulatory Reference:

Activities Covered:	Any person who conducts a commercial or industrial operation which results in the disposal of solid or liquid waste materials into the water of the State.
Process:	Apply to the Department of Ecology
Fees:	\$750 for set up of new permit; \$3,405/yr. annual fee.
Other Information:	Penalty: Willful violation - crime punishable by a fine of up to \$10,000 and/or imprisonment for not more than a year (each day is a violation). Resource damage - liability to pay damages to replenish such resource. Civil penalty of up to \$10,000 per violation.
9. HYDRAULIC PROJECT APPROVAL	
Issuing Agency:	<p>Department of Fisheries (WDF) Habitat Management Div. P.O. Box 43155 Olympia, WA 98504-3155 (206)902-2534 FAX (206)902-2946</p> <p>Department of Wildlife (WDW) Habitat Management Div. 600 Capitol Way North Olympia, WA 98501-1091 (206)753-3318 FAX (206)586-0248</p>
Statutory Reference:	RCW 75.20.100
Regulatory Reference:	
Activities Covered:	Any project that will use, divert, obstruct or change the natural flow or bed of any of the salt or fresh waters of the state.
Process:	Apply to the responsible agency (Fisheries or Wildlife). Application shall contain general plans for the overall project, complete plans and specifications of the proposed construction subject to this chapter and complete plans for the protection of fish life. Forty-five day period to approve or deny.

Fees: **No charge**

Other Information: **Penalty: Civil penalty of up to \$100 per day. Criminal penalty--gross misdemeanor; continuation--declared a nuisance subject to abatement.**

10. AQUATIC LAND LEASE

Issuing Agency: **Department of Natural Resources
Aquatic lands Division
P.O. Box 47027
Olympia, WA 98504-7027
(206)902-1100 FAX (206)902-1786**

Statutory Reference: **RCW 79.90.460(4) and 79.90.495**

Regulatory Reference: **WAC 332-30-161**

Activities Covered: **Any use of publicly owned aquatic lands (tidelands, beds of navigable waters or shorelands).**

Process: **Complete application and submit with filing fee to DNR. Application must include description of land, Army Corps public notice number, shoreline substantial development permit number and SEPA checklist or DNS.**

Fees: **Established through competitive bidding or negotiation.**

Other Information: **Penalty: Action in trespass.**

11. SHORELINE SUBSTANTIAL DEVELOPMENT

Issuing Agency: **Association of Counties
206 10th Avenue S.E.
Olympia, WA 98501-1311
(206)753-1886 FAX (206)753-2842**

Statutory Reference: **RCW 90.58.140(2)**

Regulatory Reference:

Activities Covered: **Development in or on the water or on the shoreline, having a total cost or fair market value exceeding \$2,500.**

Process: If the Dept. of Ecology disagrees with the approval or denial, the DOE can appeal the local decision to the Shoreline Hearings Board. On either a conditional use permit or a variance under the Shoreline Management Act, the DOE may overrule a local decision. Conditional use permits are used for projects in unique situations as recognized in the Shoreline Master Program whereas variances are used in addressing project dimensional irregularities.

Fees: No charge

Other Information: Penalty: Civil penalty not to exceed \$1000 per violation (or day). Willful violation - gross misdemeanor (\$25 - \$1000 and/or 90 days). Third willful violation within 5 years - \$500 - \$10,000.

12. SHELLFISH CERTIFICATION

Issuing Agency: Department of Health
Office of Shellfish Programs
P.O. Box 47824
Olympia, WA 98504-7824
(206)753-5994 FAX (206)586-4499

Statutory Reference: RCW 69.30

Regulatory Reference:

Activities Covered: Sale of shellfish.

Process: Must be certified by DSHS.

Fees: Fees vary by type of operation and size.

Other Information: Penalty: Decertification and/or gross misdemeanor \$25 - \$1,000 and/or 30 days.

13. STATEMENT OF CONSISTENCY WITH COASTAL ZONE MANAGEMENT ACT

Issuing Agency: **Department of Ecology**
P.O. Box 47600
Olympia, WA 98504-7600
(206)483-7062 FAX (206)438-7490

Statutory Reference: **16 USC 1456(c)**

Regulatory Reference:

Activities Covered: **Activities within the coastal zone.**

Process: **This federal law has as an objective that each coastal state adopt a federally-approved coastal zone management program. The Shoreline Management Act has been certified as that program, therefore, the Dept. of Ecology reviews the local Shoreline Master Programs for the Area. If the Project is "consistent with the maximum extent practical" with the Coastal Zone Management Act, then the Dept. of Ecology will certify the project.**

Fees: **No charge**

Other Information: **Penalty: Civil penalty not to exceed \$1000 for each violation (or day). For willful violation--gross misdemeanor (\$25 - \$1000 and /or 90 days). Third willful violation within 3 years \$500 - \$10,000.**

WEST VIRGINIA

1. FISH SALES LICENSE

Issuing Agency: Division of Natural Resources - Law Enforcement
Charleston Office
Building 3, State Capitol Complex
Charleston, WV 25305 or District Office
(304)558-2784

Statutory Reference: WV Code 20-2-48

Regulatory Reference: Title 47, Series 48A

Activities Covered: Purchasing and reselling fish, frogs, turtles, or other forms of aquatic life.

Process: Application is available in Charleston and District Law Enforcement Offices.

Fees: \$10 annually

Other Information:

2. COMMERCIAL FISHING PRESERVE

Issuing Agency: Division of Natural Resources - Law Enforcement
Charleston Office
Building 3, State Capitol Complex
Charleston, WV 25305 or District Office
(304)558-2784

Statutory Reference: WV Code 20-2-53

Regulatory Reference: Title 47, Series 48A

Activities Covered: License for privately owned commercial fishing preserve.

Process: Application will require size and location of private ponds.

Fees: \$25 annually

Other Information:

3. FISH IMPORTATION PERMIT

Issuing Agency: Division of Natural Resources - Wildlife Section
Building 3, Capitol Complex
Charleston, WV 25305
(304)558-2771

Statutory Reference: Chapter 20 of WV Code Section 20-2-13

Regulatory Reference:

Activities Covered: Importation of wildlife; certification and inspection of imported wildlife.

Process: Apply annually for permit in writing to the Wildlife Section in Charleston.

Fees: None

Other Information:

4. FISH POND LICENSE

Issuing Agency: Division of Natural Resources - Law Enforcement
Charleston Office
Building 3, State Capitol Complex
Charleston, WV 25305 or District Office
(304)558-2784

Statutory Reference: Chapter 20 of WV Code, Section 20-2-48

Regulatory Reference: Title 47, Series 48A

Activities Covered: License for private plant or pond for propagating fish, frogs, turtles, and other forms of aquatic life for commercial purposes.

Process: Application shall designate the size, character and location of plant or pond. These applications are in Charleston and the District Law Enforcement Offices.

Fees: \$10 annually

Other Information:

5.

WV NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Issuing Agency: Division of Environmental Protection
Office of Water Resources/Industrial Branch
1201 Greenbrier Street
Charleston, WV 25311
(304)558-8855 FAX (304)558-5903

Statutory Reference: WV Code 20-5A-3

Regulatory Reference: WV Legislative Rules Title 46 Series 2 Section 13.2

Activities Covered: Aquaculture facilities discharging wastewater to State waters. Facilities producing less than 20,000 lbs. of fish per year and those feeding less than 5000 lbs. of food per month of maximum feeding may be excluded, unless water quality problems exist.

Process: 1) Review application 2) Visit facility 3) Draft Permit 4) Public notice 5) Issue permit.

Fees: Application: \$300 - \$4,500. Annual: \$50 - \$2,500. Fees are based on average daily discharge from facility.

Other Information: Assistance available in completing applications and in determining if a permit is required.

6.

WATER WELL PERMIT - SEWAGE SYSTEM PERMIT

Issuing Agency: Bureau of Public Health
815 Quarrier St. - Suite 418
Charleston, WV 25301
(304)558-2981 FAX (304)558-0691

Statutory Reference: Chapter 16-1-10(14); Chapter 16, Article 1, Section 9; Chapter 16, Article 7.

Regulatory Reference: 64 CSR 9; 64 CSR 47; 64 CSR 19; 64 CSR 46

Activities Covered: All places that tender to the public any item for human consumption. Water well installations and on-site sewage system installations.

Process:

Fees: Charged at the discretion of the local Health Departments. May charge up to \$50 for water well permit and up to \$100 for sewage system permit.

Other Information:

7. SECTION 404 - SECTION 10

Issuing Agency: U.S. Army Corps of Engineers
502 8th St.
Huntington, WV 25701
(304)529-5710 FAX (304)529-5085

Statutory Reference: Clean Water Act/Rivers and Harbor Act 1899

Regulatory Reference: Section 404/Section 10

Activities Covered: Placement of fill into "waters of the U.S."; placement of structures in navigable waters of the U.S.

Process: Proposed activities may be authorized by various types of permits.

Fees: \$10 non-commercial; \$100 commercial for certain permits - others have no charge.

Other Information:

8. AQUACULTURE FARM RULE

Issuing Agency: Department of Agriculture
Regulatory Protection Division
1900 Kanawha Boulevard, East
Charleston, WV 25305
(304)558-2227

Statutory Reference: WV Code 19-29-4

Regulatory Reference: Title 61, Series 23

Activities Covered: Voluntary HACCP Inspection Program for Aquaculture Producers.

Process:

Fees: **None.**

Other Information: **Model HACCP plan and assistance available for implementing HACCP.**

9. FISH PROCESSING RULE

Issuing Agency: **Department of Agriculture
Regulatory Protection Division
1900 Kanawha Boulevard, East
Charleston, WV 25305
(304)558-2227**

Statutory Reference: **WV Code 19-29-4**

Regulatory Reference: **Title 61, Series 23A**

Activities Covered: **Mandatory HACCP Inspection Program for Aquaculture Processors.**

Process:

Fees: **Vary.**

Other Information: **Assistance available for implementing HACCP.**



WISCONSIN

1. PRIVATE FISH HATCHERIES

Issuing Agency: Department of Natural Resources
Box 7921
Madison, WI 53707
(608)266-2176 FAX (608)287-7857

Statutory Reference: 29.52 Stats.

Regulatory Reference: Wisconsin Administrative Code (NR19.05)

Activities Covered: Private Fish Hatcheries and Commercial
Fisheries

Process: Application, Inspection, Issuance

Fees: A = \$50 B = \$25 C = \$5 D = \$5

Other Information: WPDES permit NR106 through NR106 Wisconsin
Administrative Code



WYOMING

1. COMMERCIAL FISH HATCHERY LICENSE

Issuing Agency: Game and Fish Dept.
5400 Bishop Blvd.
Cheyenne, WY 82006
(307)777-4559 FAX (307)777-4610

Statutory Reference: WS 23-2-301, 23-4-102

Regulatory Reference: Wyoming Game and Fish Commission regulation for importation, possession, confinement, transportation, sale and disposition of live wildlife.

Activities Covered: Owning and operating fish hatchery or rearing unit for raising fish for resale.

Process: Send fee and application to Wyoming Game and Fish Dept.
Can request application from above address.

Fees: \$100 per year plus \$500 Surety Bond

Other Information:

2. MINING PERMIT/LICENSE

Issuing Agency: Department of Environmental Quality - Land Quality Division
122 W. 25th ST., 3rd Floor West
Cheyenne, WY 82002
(307)777-7756 FAX (307)634-0799

Statutory Reference: Environmental Quality Act W.S. 35-11-101 - W.S. 35-11-1428

Regulatory Reference: Land Quality Division Rules and Regulations

Activities Covered: Removal of solid mineral from the earth for commercial purposes.

Process: Contact the Division to determine what type of permit is required. The amount and detail of baseline operations and reclamation plan is dependant upon the size of the proposed operation.

Fees: Permit: \$100 plus \$10 per each acre in the permit but not more than \$2000. License of \$25.

Other Information: PUBLIC NOTICE IS REQUIRED FOR OPERATIONS LARGER THAN 10 ACRES.

3. APPLICATION FOR PERMIT TO APPROPRIATE SURFACE WATER OR APPROPRIATE GROUND WATER

Issuing Agency: State Engineer's Office
Herschler Building, 4th Floor East
Cheyenne, Wyoming 82002
(307)777-7354 FAX (307)777-5451

Statutory Reference: W.S. 1977 41-3-101 to 41-3-938

Regulatory Reference: State Engineer's Office Rules and Regulations

Activities Covered: Issuance of permits for all recognized beneficial uses of water, including aquaculture, when applied for in accordance with rules and regulations dependent there on.

Process: Upon proper application to the State Engineer (which includes a certified map)*. A permit is issued if the application is in compliance with the rules and regulations and in the best public interest. Once a permit is secured, construction may begin. Once facility is constructed and water is put to beneficial use, adjudication takes place.

Fees: \$25

Other Information: * Certified mapping requirements.
For surface water source: file with application.
For ground water (well) source: file during adjudication process.

4. FOOD SAFETY (NO PERMIT REQUIRED)

Issuing Agency: Department of Agriculture/Consumer Health Services
2219 Carey Ave.
Cheyenne, WY 82002-0100
(307)777-6587 FAX (307)777-6593

Statutory Reference: W.S. 35-7-109-122

Regulatory Reference: 21 CFR Part 101 and 110

Activities Covered: Good manufacturing practice labeling

Process: Notify Dept. prior to start up of new processing facility.

Fees: N/A

Other Information: Inspection of processing/sanitation is required by State/Federal law.

5. **CERTIFICATION OF AUTHORITY** - (Corporations incorporated in another state and want to do business in Wyoming)

Issuing Agency: Secretary of State/Corporations Division
Capitol Bldg, Rm 110
Cheyenne, WY 82002
(307)777-7311 FAX (307)777-5339

Statutory Reference: W.S. 17-16-1501 & 17-16-1503

Regulatory Reference:

Activities Covered: Doing business in Wyoming

Process: Complete application for authority form from Secretary of State's office. Submit with signed registered agent consent (form also available with certificate of authority form), certificate of good standing or existence from the state of incorporation and \$80 filing fee to Secretary of State.

Fees: \$80

Other Information:

6. **CORPS OF ENGINEERS SECTION 10/404 PERMIT**

Issuing Agency: Omaha District, Corps of Engineers,
Cheyenne Regulatory Office
2232 Dell Range Blvd., Suite 210
Cheyenne, Wyoming 82009
(307)772-2300 FAX (307)772-2920

Statutory Reference: Rivers & Harbors Act (33 U.S.C. 403).
Clean Water Act (33 U.S.C. 1344)

Regulatory Reference: 33 CFR Parts 320-330

Activities Covered:	Placement of dredged or fill material into or excavation of material from Wyoming water bodies and wetlands (section 404-CWA). Also - all activities impacting navigable water bodies (Flaming Gorge Reservoir) Section 10 Rivers & Harbors Act.
Process:	Contact Cheyenne Regulatory Office for permit applications, jurisdictional determinations, and authorization requirements before planning or undertaking any activity in State waters and including wetlands.
Fees:	\$100 for industrial or commercial activities requiring individual permit. \$10 to private property owners. No fee - Governmental agencies.
Other Information:	Section 404 CWA - Joint permitting Responsibilities with Wyoming Department of Environmental Quality Water Quality Division in accordance with their authority under section 401 of the Clean Water Act.

7. PERMIT TO CONSTRUCT

Issuing Agency:	Department of Environmental Quality Water Quality Division Herschler Building - 4th Floor West Cheyenne, WY 82009 (307)777-7781 FAX (307)777-5973
Statutory Reference:	WY Environmental Quality Act
Regulatory Reference:	Water Quality Rules - Chap III
Activities Covered:	Construction of pollution control facilities.
Process:	File application with plans and specifications signed by professional engineer registered in Wyoming.
Fees:	None
Other Information:	

8. **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT**

Issuing Agency: Department of Environmental Quality
Water Quality Division
Herschler Building - 4th Floor West
Cheyenne, WY 82009
(307)777-7781 FAX (307)777-5973

Statutory Reference: WY Environmental Quality Act

Regulatory Reference: Water Quality Rules - Chap II

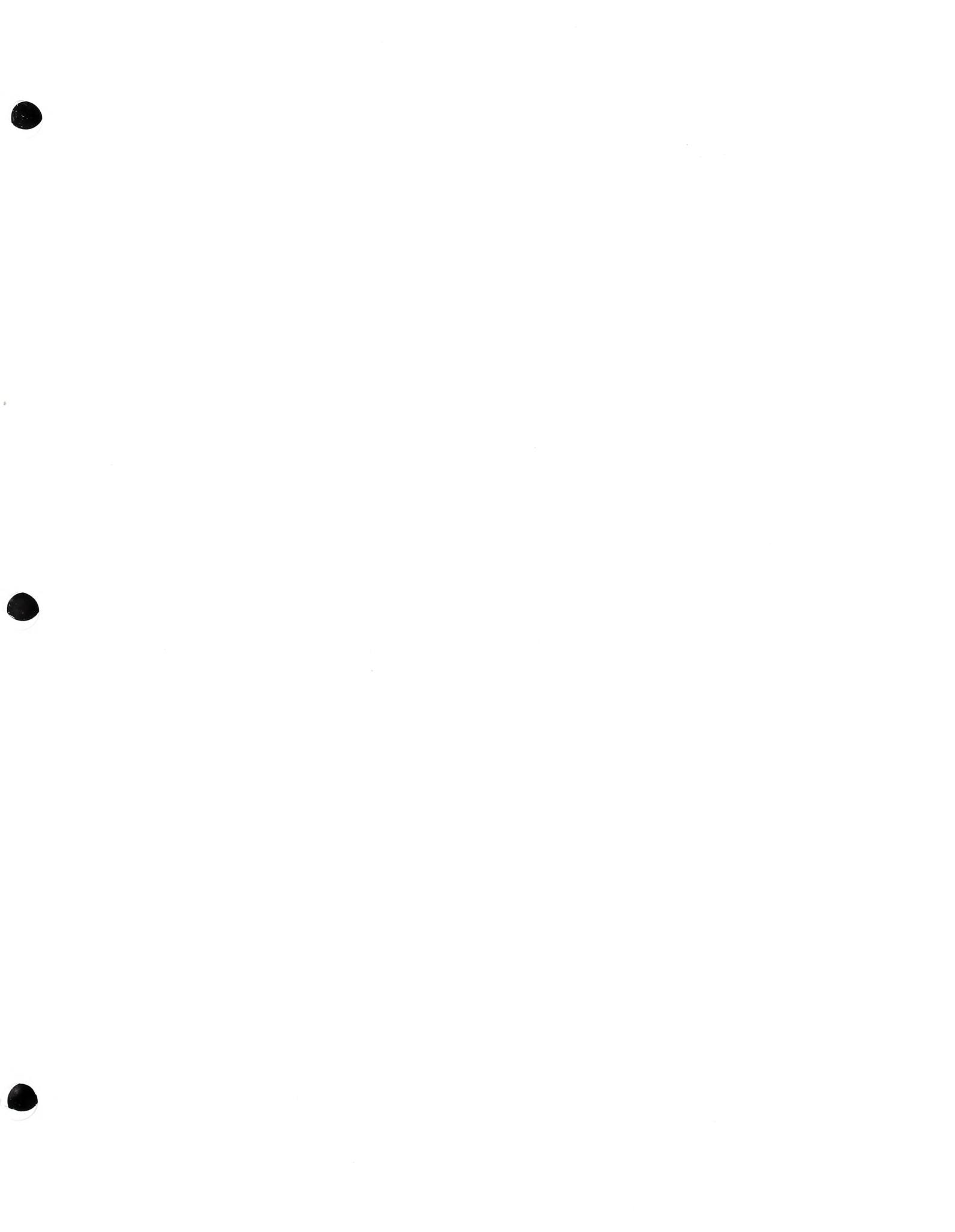
Activities Covered: Discharge to surface waters.

Process: File NPDES application 180 days prior to anticipated start of discharge. Thirty day public notice with potential for public hearing on contested issues.

Fees: None

Other Information:



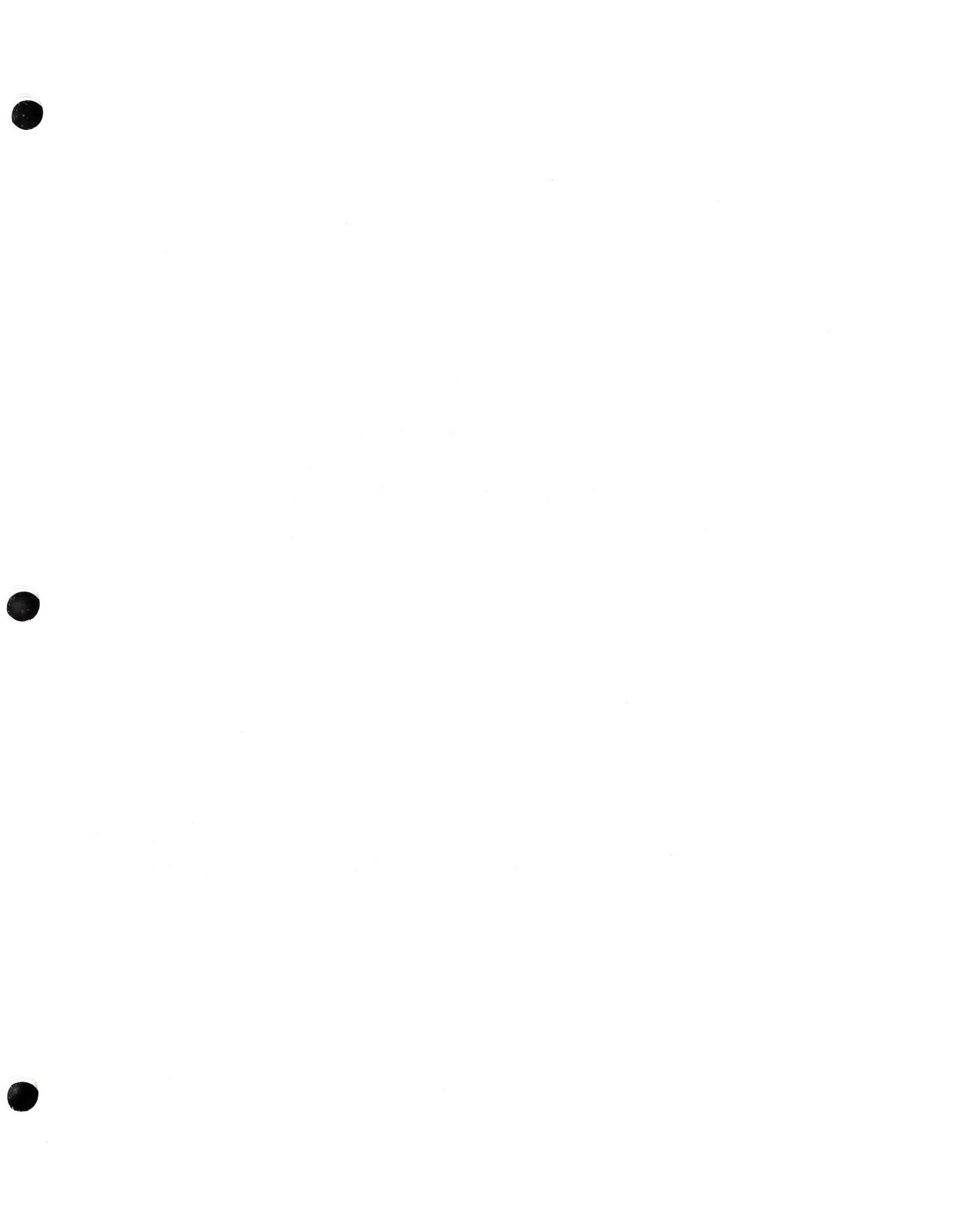


APPENDIX

STATE AQUACULTURE COORDINATORS/CONTACTS

ALABAMA	(334)242-2650	FAX (334)240-3414
ALASKA	(907)465-3400	FAX (907)586-2754
ARIZONA	(602)542-4293	FAX (602)542-3244
ARKANSAS	(501)682-5849	FAX (501)682-5859
CALIFORNIA	(916)653-9583	FAX (916)653-4645
COLORADO	(303)239-4114	FAX (303)239-4125
CONNECTICUT	(203)874-2855	FAX (203)783-9976
DELAWARE	(302)739-4811	FAX (302)697-6287
FLORIDA	(904)488-0163	FAX (904)922-3671
GEORGIA	(404)918-6418	FAX (706)557-3040
GUAM	(671)646-5841	FAX (671)646-7242
HAWAII	(808)587-0030	FAX (808)587-0033
IDAHO	(208)334-3256	FAX (208)334-2170
ILLINOIS	(217)782-6675	FAX (217)524-5960
INDIANA	(317)494-6264	FAX (317)494-9347
IOWA	(515)294-4622	
KANSAS	(913)296-3736	FAX (913)296-2247
KENTUCKY	(502)564-6571	FAX (502)564-7852
LOUISIANA	(504)922-1277	FAX (504)922-1289
MAINE	(207)633-9500	FAX (207)633-7109
MARYLAND	(410)841-5724	FAX (410)841-5987
MASSACHUSETTS	(617)727-3018 Ext 170	FAX (617)727-7235
MICHIGAN	(517)373-1050	FAX (517)335-1423
MINNESOTA	(612)296-5081	FAX (612)296-6890
MISSISSIPPI	(601)354-7097	FAX (601)354-6001
MISSOURI	(314)751-2613	FAX (314)751-2868
MONTANA	(406)444-2402	FAX (406)444-5409
NEBRASKA	(402)471-4876	FAX (402)471-2759
	(800)422-6692	
NEVADA	(702)784-6611	FAX (702)784-4227
NEW HAMPSHIRE	(603)271-2753	FAX (603)271-1109
NEW JERSEY	(609)292-2472	FAX (609)633-2550
NEW MEXICO	(505)646-3007	FAX (505)646-3303
NEW YORK	(518)457-5430	FAX (518)488-5827
NORTH CAROLINA	(919)733-7125	FAX (919)733-1141
NORTH DAKOTA	(701)652-2951	FAX (701)652-2055
OHIO	(614)752-9816	FAX (614)644-5017
OKLAHOMA	(405)521-3864	FAX (405)521-4912
OREGON	(503)229-6734	FAX (503)229-6113
PENNSYLVANIA	(717)783-8462	FAX (717)787-2387
PUERTO RICO	(809)724-4911	FAX (809)725-7884
RHODE ISLAND	(401)783-2304	FAX (401)783-2760

SOUTH CAROLINA	(803)734-2200	FAX (803)734-2192
SOUTH DAKOTA	(605)773-5436	FAX (605)773-5926
	(605)773-4508	FAX (605)773-6245
TENNESSEE	(615)360-0160	FAX (615)360-0194
TEXAS	(512)463-7563	FAX (512)463-9968
	(512)463-5028	FAX (512)463-5098
UTAH	(801)538-7108	FAX (801)538-7126
VERMONT	(802)828-2416	FAX (802)828-2361
VIRGIN ISLANDS	(809)774-8784	
VIRGINIA	(804)371-6094	FAX (804)371-7786
WASHINGTON	(206)902-1932	FAX (206)902-2089
WEST VIRGINIA	(304)558-2210	FAX (304)558-2203
WISCONSIN	(608)224-5135	FAX (608)224-5110
WYOMING	(307)777-6577	FAX (307)777-6593



**FEDERAL
AQUACULTURE
LEGISLATION & REGULATIONS**

Excerpted from the NRAC Report on Governmental Regulation of Growth and Development:
Improving The Legal Framework for Aquaculture in the Northeastern United States

FEDERAL AQUACULTURE LEGISLATION & REGULATIONS

SITING

A. Leasing

- **Clean Water Act**

33 U.S.C.A. § 1251 to 1387

33 C.F.R. Parts 328, 230 (1989)

40 C.F.R. Parts 1500-1508 (1989)

Lead Agency: U.S. Army Corps of Engineers (COE)

- **Marine Protection, Research, and Sanctuaries Act of 1972**

33 U.S.C.A. § 1401 to 1445

40 C.F.R. Parts 220-233 (1989), among others.

Lead Agency: U.S. Army Corps of Engineers (COE)

The EPA, in cooperation with state and local governments and other Federal agencies, is responsible for restoring and maintaining the chemical, physical, and biological integrity of the nation's waters. These agencies are responsible for protecting the nation's wetlands resources which are an integral part of those waters. The major Federal regulatory tool for protecting wetlands is Section 404 of the Clean Water Act, which establishes a permitting program to regulate the discharge of dredged or fill material into the waters of the United States, including most wetlands. However, many activities that adversely affect wetlands are not adequately regulated under Section 404. Therefore, EPA's Office of Wetland Protection is supplementing its regulatory activities under Section 404 with important efforts in other areas, such as working with Federal, state and local governments to encourage the implementation of other wetland protection methods, enhancing public awareness of wetlands values, and conducting wetland research in key scientific areas where current knowledge is lacking. In addition, EPA is exploring and working with other laws, regulations, and other non-regulatory approaches to enhance their implementation to protect wetlands, as well as investigating innovative ways to make the traditional Section 404 program more efficient, predictable, consistently applied across the country, and environmentally effective.

EPA's regulatory authority under Section 404 of the CWA is the cornerstone of the Agency's efforts in wetlands protection. The Section 404 program is jointly administered by EPA and the COE. The EPA has two major functions under Section 404. The first is to develop guidelines, in cooperation with the COE, that serve as the environmental standards that the COE must apply when evaluating a permit application for a discharge of dredged or fill material into the waters of the United States, including wetlands. These guidelines were first issued in September 1975 and revised in December 1980. All future programmatic guidance, interpretations, and regulations will be developed by EPA with input from the COE.

Secondly, EPA is authorized to prohibit (veto) or restrict a COE permit for a discharge of dredged or fill material in a wetland if it determines that the proposed discharge will have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishing areas, wildlife, or recreational areas. The EPA and the permitting authority are also authorized to identify areas generally suitable and/or unsuitable for discharge in advance of any permit application. Other EPA responsibilities under Section 404 include determining what areas are wetlands subject to protection under the CWA, defining activities that may be exempt from permitting ([404(f)] exemptions), and approving and overseeing assumption by the states of responsibility for the Section 404 program.

EPA and the COE, by statute, share Section 404 enforcement authority.

1. Submerged Lands

2. Water Column

- **Rivers and Harbors Act of 1899**
33 U.S.C.A. § 401, et seq.
33 C.F.R. Parts 114-115, 320, 321 (1989), among others.
Lead Agency: U.S. Army Corps of Engineers (COE)
- **Clean Water Act (Section 404)**
33 U.S.C.A. § 1311-1344
40 C.F.R. Parts 100-140, and 400-471 (1989).
Lead Agency: Environmental Protection Agency (EPA)
- **Fish and Wildlife Coordination Act**
16 U.S.C. § 661, et seq.
Lead Agency: U.S. Fish and Wildlife Service

B. Navigation

- **Rivers and Harbors Act of 1899**
33 U.S.C.A. § 401, et seq.
33 C.F.R. Parts 114-115, 320, 321 (1989) among others.
Lead Agency: U.S. Army Corps of Engineers
- **Clean Water Act (§ 404)**
33 U.S.C.A. §§ 1311-1344
40 C.F.R. Parts 100-140, and 400-471 (1989).
Lead Agency: Environmental Protection Agency (EPA)
- **Fish and Wildlife Coordination Act**
16 U.S.C. § 661, et seq.
Lead Agency: U.S. Fish and Wildlife Service

C. Wetlands

- **Federal Water Pollution Control Act**
33 U.S.C.A. §§ 1151 et seq., especially §§ 1311 to 1344 ["§ 404"]
33 C.F.R. Parts 328, 230 (1989).
40 C.F.R. Parts 100 - 140, 400 - 471, and 1500 - 1508 (1989).
Lead Agency: U.S. Army Corps of Engineers; EPA
- **Clean Water Act**, 33 U.S.C.A. §§ 1251 to 1387
33 C.F.R. Parts 328, 230 (1989)
40 C.F.R. Parts 1500-1508 (1989)
Lead Agency: U.S. Army Corps of Engineers (COE); EPA
- **Marine Protection, Research, and Sanctuaries Act of 1972**
33 U.S.C. §§ 1401 to 1445
40 C.F.R. Parts 220-233 (1989), among others.
Lead Agency: U.S. Army Corps of Engineers.
- **Rivers and Harbors Act of 1899**
33 U.S.C.A. § 401 et seq.
33 C.F.R. Parts 114, 115, 320, 321 (1989) among others.
Lead Agency: U.S. Army Corps of Engineers.
- See "Federal Wetlands Protection Under the Clean Water Act: Regulatory Ambivalence, Intergovernmental Tension, and a Call for Reform," 60 U. Colo. L.R. 695 (1989).
- See "Wetlands and Agriculture: Environmental Regulation and the Limits of Private Property," 34 U.Kan. L.R. 539 (1986).

D. Coastal Zone Management

1. Land Use Restrictions

- **National Environmental Policy Act of 1969**
42 U.S.C.A. §§ 4321 to 4370a
Lead Agency: EPA
- **Coastal Zone Management Act of 1972**
16 U.S.C.A. §§ 1451 to 1464
15 C.F.R. Parts 923, 925, 930, and 931 (1989), among others.
Lead Agency: U.S. Department of Commerce,
Office of Coastal Zone Management

- **Soil and Water Resources Conservation Act of 1977**
16 U.S.C.A. §§ 2001 to 2009
Lead Agency: U.S. Department of Agriculture,
Soil Conservation Service
- **Rivers and Harbors Act of 1899**
33 U.S.C.A. § 401, et seq.
33 C.F.R. Parts 114-115, 320, 321 (1989), among others.
Lead Agency: U.S. Army Corps of Engineers (COE)
- **Clean Water Act (Section 404)**
33 U.S.C.A. § 1311-1344
40 C.F.R. Parts 100-140, and 400-471 (1989).
Lead Agency: Environmental Protection Agency (EPA)
- **Fish and Wildlife Coordination Act**
16 U.S.C. § 661, et seq.
Lead Agency: U.S. Fish and Wildlife Service
- **Resource Conservation and Recovery Act (RCRA)**
42 U.S.C.A. § 6991 et seq. (Storage Tank Regulation)
40 C.F.R. Parts 280, 281, 302 (1990)
Lead Agency: EPA

WATER USE

A. Supply

- **Clean Water Act** (see Federal Water Pollution Control Act)
- **Comprehensive Environmental Response, Compensation & Liability Act (CERCLA)**
42 U.S.C.A. § 9601 et seq.
40 C.F.R. Parts 300-355 (1989)
Lead Agency:
- **Federal Water Pollution Control Act Amendments of 1972,**
33 U.S.C.A. §§ 1251 to 1387
40 C.F.R. Parts 100-140 and 400-471 (1989); especially 40 C.F.R. Parts 125.10,
125.11 (1990):
NPDES permit provisions for aquaculture.
Lead Agency: EPA

- **Marine Protection, Research, and Sanctuaries Act of 1972**
 33 U.S.C.A. §§ 1401 *et seq.*
 40 C.F.R. Parts 220-233 (1989), among others.
Lead Agency: U.S. Army Corps of Engineers (COE)
- **Organotin Antifouling Paint Control Act of 1988**
 33 U.S.C.A. §§2401 to 2410
Lead Agency:
- **Rivers and Harbors Act of 1899**
 33 U.S.C.A. § 401, *et seq.*
 33 C.F.R. Parts 114-115, 320, 321 (1989), among others.
Lead Agency: U.S. Army Corps of Engineers
- **Safe Drinking Water Act**
 42 U.S.C.A. § 300f *et seq.*
 40 C.F.R. Parts 141-149 (1989)
Lead Agency: EPA

B. Discharge

Pursuant to the Federal Water Pollution Control Act, commonly known as the Clean Water Act, the federal government has the power to regulate discharges of pollutants into the nation's waters. The Act provides that individual states can assume the power to regulate discharges into waters located within their boundaries by submitting a regulatory plan for approval by EPA.

- **Clean Water Act** (see Federal Water Pollution Control Act)
- **EPA Form 2B NPDES**
 Concentrated Animal Feeding Operations and Aquatic Animal Production Facilities
Lead Agency: EPA
- **EPA Form 3510-2C NPDES**
 Consolidated Permits Program (Follow-up data no later than 2 years after discharging begins)
Lead Agency: EPA¹
- **EPA Form 3510-2D NPDES**
 New Sources and New Dischargers: Application for Permit to Discharge Process Wastewater
Lead Agency: EPA²
- **EPA Form 3510-2E NPDES**
 Application Form 2E- Facilities Which Do Not Discharge Process Wastewater³
Lead Agency: EPA⁴

- **Comprehensive Environmental Response, Compensation & Liability Act (CERCLA)**
42 U.S.C.A. § 9601 *et seq.*
40 C.F.R. Parts 240-280 (1989)
Lead Agency: EPA
- **Federal Water Pollution Control Act Amendments of 1972,**
33 U.S.C.A. §§ 1251 to 1387
40 C.F.R. Parts 100-140 and 400-471 (1989); especially
40 C.F.R. Parts 125.10, 125.11 (1990):
NPDES permit provisions for aquaculture.
§ 402(j) Confidential information
§ 309(c)(2) False Information¹
Lead Agency: EPA
- **Marine Protection, Research, and Sanctuaries Act of 1972**
33 U.S.C.A. §§ 1401 to 1445
40 C.F.R. Parts 220-233 (1989), among others.
Lead Agency: U.S. Army Corps of Engineers
- **Organotin Antifouling Paint Control Act of 1988**
33 U.S.C.A. §§ 2401 to 2410
Lead Agency: EPA
- **Rivers and Harbors Act of 1899**
33 U.S.C.A. § 401, *et seq.*
33 C.F.R. Parts 114-115, 320, 321 (1989), among others.
Lead Agency: U.S. Army Corps of Engineers
- **Safe Drinking Water Act**
42 U.S.C.A. § 300f *et seq.*
40 C.F.R. Parts 141-149 (1989)
Lead Agency: EPA
- **National Environmental Policy Act of 1969**
42 USC § 4321 *et seq.*
Lead Agency: EPA Administrator
- **Effluent Guidelines⁵**
40 CFR Subchapter N
Lead Agency: EPA Regional Office

¹ "Any person who knowingly makes any false statement, representation, or certification in any application, . . . shall upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than six months, or by both."

STOCKING

A. Importation

The Lacey Act makes it unlawful for any person to import, export, transport, sell, receive, acquire, or purchase any fish, wildlife or plant taken or possessed in violation of any federal or Indian tribal law. The Lacey Act also makes it unlawful for any person to import, export, transport, sell, receive, acquire or purchase in interstate or foreign commerce 1) any fish or wildlife taken, possessed, transported or sold in violation of any State or foreign law, and 2) any plant taken, possessed, transported or sold in violation of any State law.

The Federal Endangered Species Act grants to the Secretary of the Interior the power to list any species of fish, wildlife or plant as endangered or threatened, and hence subject to certain protection. Listed species are found at 50 C.F.R. 17.1 *et seq.*, 50 C.F.R. 227.1 *et seq.* and 50 C.F.R. 424.01 *et seq.* Listed species are protected by regulations that are developed by the Secretary of the Interior. 16 U.S.C.A. 1533(d).

- **Control of Illegally Taken Fish and Wildlife (Lacey Act)**
16 U.S.C. §§ 3371 to 3378
Lead Agency: U.S. Fish and Wildlife Service (FWS); other enforcement agencies include the U.S. Dept. of Transportation, U.S. Marshall's Office, and the Enforcement Division of the National Marine Fisheries Service (NMFS)
- **Endangered Species Act**
16 U.S.C.A. §§ 1531 *et seq.*
Lead Agency: U.S. Fish and Wildlife Service (FWS)
- **Black Bass Act**
16 U.S.C. §§ 851 to 856.
Repealed: Pub.L. 97-79, § 9(b)(1), Nov. 16, 1981.
Lead Agency: Not Relevant
- **Importation of Fish Eggs & Products**
50 USC

B. Transportation

- **Control of Illegally Taken Fish and Wildlife (Lacey Act)**
16 U.S.C. §§ 3371 to 3378
Lead Agency: U.S. Fish and Wildlife Service (FWS); other enforcement agencies include the U.S. Dept. of Transportation, U.S. Marshall's Office, and the Enforcement Division of the National Marine Fisheries Service (NMFS)
- **Endangered Species Act**
16 U.S.C.A. §§ 1531 *et seq.*
Lead Agency: U.S. Fish and Wildlife Service (FWS)

C. Breeding

(Excerpted from Requirements of Laws and Regulations Enforced by the U.S. Food and Drug Administration, pp. 29-30 (FDA) 89-1115)

Because raw shellfish—clams, mussels, and oysters—may transmit intestinal diseases such as typhoid fever, or be carriers of natural or chemical toxins, it is most important that they be obtained from unpolluted waters and produced, handled, and distributed in a sanitary manner.

Shellfish must comply with the general requirements of the Federal Food, Drug, and Cosmetic Act and also with requirements of State health agencies, cooperating in the National Shellfish Sanitation Program (NSSP) administered by FDA and in the Interstate Shellfish Sanitation Conference (ISSC).

Shellfish harvesting is prohibited in areas contaminated by sewage or industrial wastes. To enforce this prohibition, these areas are patrolled and warning signs are posted by State health or fishery control agencies. State inspectors also check shellfish harvesting boats and shucking plants before issuing approval "certificates" which are equivalent to a State license to operate. Plants having approved certificates are required to place their certification number on each container or package of shellfish shipped.

The number indicates the shipper is under State inspection, and that he meets the requirements of the NSSP. It also serves the important purpose of identifying and tracing shipments found to be contaminated. Shippers are also required to keep records showing the origin and disposition of all shellfish handled and to make these records available to the control authorities.

Certain shellfish, particularly mussels and clams, may contain a naturally occurring marine toxin derived from plankton organisms upon which the shellfish feed. Such toxic shellfish may cause illness or even death. State shellfish control agencies also maintain surveillance of shellfish growing areas for marine biotoxins. The areas where these biotoxins periodically occur are from Maine to Massachusetts, Florida, and the west coast including Alaska.

Standards of identity have been set for raw oysters, Pacific oysters, and canned oysters. The standards define the sizes of oysters and prescribe the methods of washing and draining to prevent adulteration with excess water. A fill-of-container standard for canned oysters fixes the drained weight at not less than 59 percent of the water capacity of the container (21 CFR 161.130-161.145).

CULTIVATION

A. Feed

(Excerpted from Requirements of Laws and Regulations Enforced by the U.S. Food and Drug Administration, p.60 (FDA) 89-1115

Animal feeds, pet foods, color and food additives, drugs and devices, intended for animals are generally subject to the same requirements of the Federal Food, Drug, and Cosmetic Act (the Act) as similar products for human use. The act defines food and drugs as articles intended "for man or other animals." There are, however, some important differences provided for by the law and regulations.

Animal feeds generally include commercial feeds and feeds manufactured on the farm.

Commercial feeds are commonly sold in bags or in bulk through feed stores and mills; pet food is commonly sold through the same distribution channels as human food. In addition to meeting the requirements of the Act. Both commercial feed and pet food must meet the requirements of individual State laws. The State laws required that animal feed labels bear, in addition to the information required by the Federal law, a label statement of "Guaranteed analysis" for minimum protein and fat content, maximum fiber content, and, in some instances, maximum moisture content. Additional information concerning State registration and labeling requirements may be obtained from the individual States where the products will be distributed or from the Official Publication of the Association of American Feed Control Officials, Inc., Capitol Complex/Guthrie Center, Charleston, W. Va. 25305

Substances that, by their intended use, may become components of animal feed either directly or indirectly, or that may otherwise affect the characteristics of the animal feed or pet food are "food additives".² Food additives are illegal unless they are the subject of a prior approval (sanction) or regulation for their safe use. Food additive regulations are based on data submitted in the form of a food additive petition.⁶

- **Federal Food, Drug and Cosmetic Act/Cancer inducing food additives**
21 U.S.C § 409(c)(3)(A)⁷
Lead Agency: Food and Drug Administration
- **Animal Feeds**
Title 21 C.F.R., Volume 6, Parts 500 through 599

² 21 CFR Parts 570, 571, and 573

B. Health of Stock

- **Animal Drugs and Related Products**
Title 21 C.F.R., Volume 6, Parts 500 through 599
Lead Agency: Food and Drug Administration

C. Predator Control

None

HARVESTING

A. Closed Seasons

(some of the laws in this section may possibly be placed either under the "Stock Health" or "Predator Control" sections.)

B. Gear Restrictions

C. Depuration

PRODUCT MARKETING

A. Dealer Licenses

B. Inspections of Plant/Product

- **The Food, Drug and Cosmetic Act**
21 U.S.C. § 346a
Lead Agency: U.S. Department of Health & Human Services Food and Drug Administration
- **Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)**
7 U.S.C.A. § 136 *et seq.*
Lead Agency: EPA

Interstate Shellfish Sanitation Conference (Excerpted from the National Shellfish Sanitation Program: Manual of Operations). These laws and regulations are relevant to each state in the Northeast Region.

Oysters, clams and mussels are unique foods which have been enjoyed by consumers for many years. the popularity of shellfish as a food can be traced through several centuries of American history. To early settlers, the food resources of the sea were one of the most valuable and readily usable of the natural resources, particularly from the estuaries. It is not surprising that shellfish were foremost among their staple food items.

The value of these renewable natural resources to the early settlers was reflected in colonial legislation designed to encourage their wise use. Over 300 years ago in 1658, the Dutch Council of New Amsterdam passed an ordinance regulating the taking of oysters from the East River. Other early legislation, including that of New York (1715), New Jersey (1730), and Rhode Island (1734), was designed to regulate harvesting, presumably as conservation measures to guarantee a continuing supply.

Public health controls of shellfish became a national concern in the U.S. in the late 19th and early 20th century when public health authorities noted a large number of illnesses associated with consuming raw oysters, clams, and mussels. These shellfish-associated outbreaks were also medically recorded in other parts of the world, most notably in European countries. During the winter of 1924, there occurred a widespread typhoid fever outbreak, with cases in New York, Chicago, and Washington, D.C., which was finally traced to sewage polluted oysters. Local and State public health officials, and the shellfish industry became sufficiently alarmed over this outbreak to request that the Surgeon General of the United States Public Health Service develop necessary control measures to ensure a safe shellfish supply to the consuming public.

In accordance with this request, the Surgeon General called a conference of representatives from State and municipal health authorities, State conservation commissions, the Bureau of Chemistry (later to become the Food and Drug Administration), the Bureau of Commercial Fisheries (now National Marine Fisheries Service) and the shellfish industry. This historic conference was held in Washington, D.C. on February 19, 1925.

The National Shellfish Sanitation Program (NSSP) developed from public health principles and program controls formulated at the original conference on shellfish sanitation. Control procedures established by the Public Health Service were dependent on the cooperative and voluntary efforts of State regulatory agencies, augmented by the assistance and advice of the Public Health Service (now the Food and Drug Administration), with the voluntary participation of the shellfish industry.

To carry out this cooperative control program, each partner accepted responsibility for certain procedures:

Each shellfish shipping State adopted adequate laws and regulations for sanitary control of the shellfish industry, made sanitary surveys of growing areas, delineated and patrolled restricted areas, inspected shellfish plants, and conducted such additional inspections, laboratory investigations, and control measures as were necessary to insure that the shellfish reaching the consumer had been grown, harvested and processed in a sanitary manner. The State annually issued numbered certificates to shellfish dealers who complied with the agreed-upon sanitary standards, and forwarded copies of the interstate certificates to the Food and Drug Administration.

The Food and Drug Administration made an annual review of each State shellfish control program including the inspection of a representative number of shellfish processing plants. On the basis of the information thus obtained, the FDA determined the degree of conformity the State

control program had with the NSSP. For the information of health authorities and others concerned, the FDA published a monthly list of valid interstate shellfish shipper certificates.

The shellfish industry cooperated by obtaining shellfish from safe sources, by providing plants which met the agreed upon sanitary standards, by maintaining sanitary operating conditions, by placing the proper certificate number on each package of shellfish, and by keeping and making available to the control authorities records which showed the origin and disposition of all shellfish.

Although the basic public health principles of the NSSP have remained unchanged, program procedures have been updated and improved upon periodically. When many shellfish producing States were concerned that some State shellfish control agencies were not adopting revisions and enforcing NSSP guidelines in a uniform and timely manner, a delegation of State officials from 22 States met in Annapolis, Maryland in 1982 and formed the Interstate Shellfish Sanitation Conference (ISSC). The ISSC is composed of State shellfish regulatory officials, industry officials, FDA, and other federal agencies. The ISSC plays an important role in assuring that uniform shellfish control measures are adopted, and that those measures are enforced consistently by state regulatory authorities.

The Manual of Operations for the National Shellfish Sanitation Program is available for purchase from:

INTERSTATE SHELLFISH SANITATION CONFERENCE
P.O. Box 32777
Phoenix, Arizona 85064

- **Interstate Shellfish Sanitation Conference (ISSC - an organization composed of state shellfish regulatory officials, industry, the FDA, and other federal agencies)**

Purpose: The ISSC permits State regulatory officials to establish uniform guidelines and to exchange reliable information of sources of safe shellfish. ISSC plays an important role in assuring that uniform shellfish control measures are adopted, and that those measures are enforced consistently by state regulatory authorities.

Policy: The ISSC follows the National Shellfish Sanitation Program (NSSP) which is composed of two parts: 1) Sanitation of Shellfish Growing Areas (a guide for preparing state shellfish laws and regulations pertaining to sanitary control of shellfish growing area classification, laboratory procedures, relaying, patrol operations and marine biotoxins) and 2) Sanitation of the Harvesting, Processing and Distribution of Shellfish (a guide for operating, inspecting, and certifying shellfish shippers, processors and depuration facilities, and for controlling interstate shipments of shellfish.)

Activities Covered: State laws and regulation should provide an adequate legal basis for the sanitary control of all interstate phases of the shellfish industry including: classification of actual/potential shellfish waters for harvesting on the basis of sanitary quality and public health safety (as approved, conditionally approved, restricted, conditionally restricted, or prohibited); effectively regulate the harvesting of shellfish; effectively prosecute persons apprehended harvesting shellfish from closed areas; make laboratory examinations of shellfish and shellfish waters; restrict the harvesting of shellfish from particular areas in public health emergencies; and maintain data and files that will provide evidence and demonstrate the effective administrative management of the shellfish sanitary control program.

C. Transportation

- **Federal Food, Drug, and Cosmetic Act**

21 U.S.C § 201(f)³ 402(a)(6)⁴; §409^{5,8}

Lead Agency: Office of the Food and Drug Administration

GOVERNMENT ASSISTANCE

A. Marketing

- **The National Aquaculture Act of 1980**

16 U.S.C.A. § 2801, et seq.

Lead Agency: U.S. Department of Agriculture, Office of Aquaculture.

- See 16 U.S.C. § 661 et seq.

"Protection and Conservation of Wildlife," especially §§ 662 & 663 Impoundment or diversion of waters.

Lead Agency: USFWS

- U.S. Department of Agriculture

Office of Aquaculture

- **U.S. Aid to States in Fish Restoration and Management Projects**

16 U.S.C.A. § 777 et seq.

Lead Agency: USFWS

³ The term "food" means: (1) articles used for food or drink for man or other animals; (3) articles used for components of any such article.

⁴ Food containers must be free from any poisonous or deleterious substance which may cause the contents to be injurious to health.

⁵ Some packaging materials, for example plastic or vinyl containers, may be "food additives" subject to regulations.

- **Federal Food, Drug, and Cosmetic Act**
21 U.S.C § 409⁶; § 403(b)⁷
Lead Agency: Office of the Food and Drug Administration

B. Grading

- **U.S. Department of Agriculture**
Office of Aquaculture
- **The National Aquaculture Act of 1980**
16 U.S.C.A. § 2801, et seq.
Lead Agency: U.S. Department of Agriculture, Office of Aquaculture
- **Federal Food, Drug, and Cosmetic Act**
21 U.S.C § 201(f)⁸; § 402(a)(6)⁹; § 409¹⁰
Lead Agency: Office of the Food and Drug Administration

⁶ Food additives (201(s)) must be determined to be safe by FDA before they may be used in a food, or become a part of a food as a result of processing, packaging, transporting, or holding the food.

⁷ A food must not be sold under the name of another food.
Example: canned bonito labeled tunafish

⁸ The term "food" means: (1) articles used for food or drink for man or other animals; (3) articles used for components of any such article.

⁹ Food containers must be free from any poisonous or deleterious substance which may cause the contents to be injurious to health.

¹⁰ Some packaging materials, for example plastic or vinyl containers, may be "food additives" subject to regulations.

C. Research

The National Aquaculture Act established the National Aquaculture Information Center, a body located within the U.S. Department of Agriculture. Upon request by a member of the general public, the Center will provide information contained in the National Aquaculture Development Plan. The Plan includes a great deal of relevant information, including:

- 1) the identity of aquatic species that have been determined to have significant potential for culturing on a commercial basis;
- 2) recommended actions to be taken by the public with regard to research and development, technical assistance, demonstration, extension education and training activities that are necessary to achieve those specifically identified commercial potentials;
- 3) information on recommended aquaculture facility design and operation methods, water quality management methods, Waste product management methods, nutrition and feed methods, information on species life history, genetics, physiology, pathology and disease control, information on processing and market development, recommended production management and quality control methods, and suggestions on the development of adequate supplies of seed stock;
- 4) information on research programs that discuss the effect of aquaculture on estuarine areas;
- 5) information on programs that analyze and address the legal and regulatory constraints that may affect the aquaculture industry; and
- 6) information on other programs with regard to research and development, technical assistance, demonstration, extension education, and training programs.

- **The National Aquaculture Act of 1980**

16 U.S.C.A. § 2801, *et seq.*

Lead Agency: U.S. Department of Agriculture, Office of Aquaculture

- **U.S. Aid to States in Fish Restoration and Management Projects**

16 U.S.C.A. § 777 *et seq.*

Lead Agency: USFWS

D. Grants

Pursuant to the National Aquaculture Act, the Secretary of Agriculture, the secretary of Commerce, and the Secretary of the Interior may contract with members of the private sector for the purpose of developing and implementing the National Aquaculture Development Plan (See discussion in "Research" section above).

- **Federal aid for fish restoration projects**
Conn. Gen. Stat. § 26-14 (1990)
Lead Agency: DEP; USFWS
- **The National Aquaculture Act of 1980**
16 U.S.C.A. § 2801, et seq.
Lead Agency: U.S. Department of Agriculture, Office of Aquaculture
- **U.S. Aid to States in Fish Restoration and Management Projects**
16 U.S.C.A. § 777 et seq.
Lead Agency: USFWS
- **U.S. Department of Agriculture**
Lead Agency: Office of Aquaculture
- **Soil and Water Loans⁹**
Program Aid Number 972
Lead Agency: United States Department of Agriculture Farmers Home Administration
- **Farm Ownership Loans¹⁰**
Program Aid Number 62
Lead Agency: United States Department of Agriculture Farmers Home Administration
- **Farm Operating Loans¹¹**
Program Aid Number 1002
Lead Agency: United States Department of Agriculture Farmers Home Administration

FEDERAL PERMITS

- **Dredge and Fill and Nontidal Wetlands.** (Subsection 10 of the Rivers and Harbors Act and Subsection 404 of the Clean Water Act.) Issuing Agency: U.S. Army Corps of Engineers, Regulatory Branch Phone: (215)597-4723 Statutory Reference: Section 10 (33 U.S.C. 403), Section 404 (33 U.S.C. 1344) Activities Covered: Placement of structures, excavation, or deposition of dredge or fill material into navigable waters or waters of the United States.

Purpose: To prevent obstruction of navigable waters and to prevent the filling of wetlands.

Process: Apply to the Army Corps of Engineers. Include a project description with a site drawing of the proposed work on 8-1/2" x 11" paper and quantities of fill and/or amount of dredge.

- **The Lacey Act (1900) and Black Bass Act (1925) and Amendments.**

Purpose: Prohibits the interstate shipment of illegally taken fish and wildlife. The definition includes all fish whether they were bred, hatched, or born in the wild or in captivity. Consequently, the possession of aquaculture products that are protected by federal or state law must have a permit issued by the state and be identified (required to be labeled) to comply with these acts. No permits available from federal agencies-only from state.

Penalty: Varies for different sections.

ENDNOTES

1. No later than 2 years after discharging begins from your proposed facility, you must complete and submit items V and VI of NPDES application Form 2C (EPA Form 3510-2C). However, you need not complete those portions of Item V requiring tests which you have already performed under the discharge monitoring requirements of your NPDES permit. In addition, the permitting authority may waive requirements of Items V-A and VI if the permittee makes the demonstrations required under 40 CFR § 122.22(g)(7)(i)(B) and § 122.21(g)(B).
2. EPA form 2D- This form must completed in conjunction with EPA Form 3510-1 (Form 1). This form must be completed by all applicants who checked "yes" to Item IID in Form 1. However, facilities which discharge only non-processed wastewater that is not regulated by an effluent limitations guideline or new source performance standard may sue EPA Form 3510-2E (Form 2E). To further determine if you are a new source or a new discharger, see § 122.2 and § 122.29.
3. This application must be completed with EPA Form 3510-1 (Form 1). Form 2E is to be completed only by operators of facilities which discharge only non-processed wastewater (process wastewater is water that comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, waste product, or wastewater) which is not regulated by effluent limitations guidelines or new source performance standards. This form is intended primarily for use by dischargers (new or existing) of sanitary wastes and non-contact cooling water.
4. Office of Water, Enforcement and permits, Washington, DC 20460
5. All effluent guidelines promulgated by EPA appear in the Federal Register and are published annually in the Code of Federal Regulations. A guideline applies to you if you have any operations contributing process wastewater in any subcategory covered by a BPT, BCT, or BAT guideline. If you are unsure whether you are covered by a promulgated effluent guideline, check with your EPA Regional Office.
6. Food additive petitions pertaining to animal feed ingredients should be submitted to the Center for Veterinary Medicine, Division of Animal Feeds (HFV-220), Food and Drug Administration, Rockville, Md. 20857.
7. Food additives that have been found to induce cancer, or whose metabolites have been found to induce cancer, may be used in feed for food-producing animals if no harm comes to the animal and there is no residue of the substance or its metabolites in edible tissues reaching the consumer.

8. "Food Additives" are substances which may by their intended uses become components of food, either directly or indirectly, or which may otherwise affect the characteristics of the food. The term specifically includes any substance intended for use in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding the food, and any source of radiation intended for any such use.

But the law excludes from the definition of a "food additive"

- 1) Substances generally recognized as safe by qualified experts;
- 2) Substances used in accordance with a previous approval ("prior sanction") under the Federal Food, Drug, and Cosmetic Act. . .
- 3) Pesticide chemicals in or on raw agricultural products;
- 4) A color additive
- 5) A new animal drug but these (3,4, and 5) are subject to similar safety requirements or other sections of the law.

NOTE: A substance cleared under the Food Additive Regulations is still subject to all the general requirements of the Food, Drug, and Cosmetic Act.

9. Funds can be used to:

- Develop wells and otherwise improve water supply systems for irrigation, home use, and livestock.
- Purchase pumps, sprinkler systems, and other irrigation equipment.
- Purchase water stock or membership in an incorporated water user's association.
- Construct and repair ponds and tanks, ditches, and canals for irrigation.
- Dig ditches and install tile to drain farmland.
- Develop ponds and water control structures for the production of fish under controlled conditions.
- Level land.

In addition, loan funds may be used to pay expenses incidental to obtaining plans and making the loan, such as legal, engineering and other technical services. The maximum repayment term is 40 years. The interest rate is set periodically based on the cost of borrowing to the Government. The loan may not exceed the amount needed for improvements and costs connected with the loan or the market value of the security less other debts against it. The maximum outstanding principal balance for insured soil and water loans is \$200,000 and \$300,000 for guaranteed loans.

10. Farm ownership loans may be used to buy, improve, or enlarge farms. Funds can be used to construct, improve, or repair farm homes and farm service buildings, to drill wells and otherwise



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improve onfarm water supplies, to install pollution control measures, to develop energy conservation measures, and to refinance debts.

In addition, these loans may be used to develop and improve farm land, clear and level land, establish and improve farm forests, provide drainage systems, carry out basic land treatment practices, and to make other improvements.

Loan funds also may be used to provide facilities to produce fish under controlled conditions and to finance nonfarm enterprises which will help farmers supplement their farm incomes. To assist in these enterprises, loans can be used to develop land, construct buildings and other facilities, purchase equipment, and make other real estate improvements.

Nonfarm enterprises that may be financed on family farms include camping and swimming facilities, riding stables, lakes and ponds with docks for boating and fishing, nature trails, picnic grounds, repair shops, roadside markets, souvenir shops, craft and wood or metalworking facilities, and small grocery stores or service station facilities.

The maximum outstanding principal balance for insured loans is \$200,000 and for guaranteed loans \$300,000. In addition, the loan may not exceed the market value of the farm or other security.

11. Farm operating loan funds may be used to pay for items needed for a successful operation. Some of these items include livestock, poultry, farm and home equipment, feed, seed, fuel, fertilizer, chemicals, hail and other crop insurance, food, clothing, medical care, and hired labor. Certain debts may be refinanced with an FmHA loan.

Minor improvements to buildings and real estate may be made, and water systems can be developed for home, livestock, and irrigation use. Funds can be used to finance the purchase equipment for producing and harvesting greees and other products, for producing fish under controlled conditions, for roadside produce markets, and for nonfarm business enterprises.

Funds also can be used to control and abate pollution and to alter equipment, facilities, or methods of operation to comply with the Occupational Safety and Health Act (OSHA) of 1970.

The county supervisor and the applicant determine the amount of farm operating credit that is needed for the operation. The limit on farm operating loans made directly by FmHA is \$200,000. The agency can guarantee loans of up to \$400,000 for operating purposes.